DOCUMENT RESUME

ED 385 059 EC 304 092

AUTHOR	Thurlow, Martha L.; And Others
TITLE	A Compilation of States' Guidelines for Including Students with Disabilities in Assessments. Synthesis Report 17.
INSTITUTION	Minnesota Univ., Minneapolis. Coll. of Education.; National Association of State Directors of Special Education, Alexandria, VA.; National Center on Educational Outcomes, Minneapolis, MN.; Saint Cloud State Univ., MN.
SPONS AGENCY	Special Education Programs (ED/OSERS), Washington, DC.
PUB DATE	Feb 95
CONTRACT	H159C00004
NOTE	103p.
AVAILABLE FROM	NCEO, 350 Elliott Hall, 75 East River Rd., University of Minnesota, Minneapolis, MN ($15).
PUB TYPE	Reports - Evaluative/Feasibility (142)
EDRS PRICE	MF01/PC05 Plus Postage.
DESCRIPTORS	*Disabilities; *Educational Assessment; Educational Policy; Elementary Secondary Education; *Guidelines; Individualized Education Programs; National Surveys; *State Standards; *Student Evaluation; *Student Participation

ABSTRACT

In response to findings of excessive exclusion of students with disabilities from national and state educational assessments, this document was developed to provide a listing of the states' guidelines for the participation or exclusion of students with disabilities in assessments. Guidelines in use were provided by 43 states. The remaining seven states were not conducting state assessments. An overview summarizes trends and commonalities in the following eight categories: (1) individualized education program function; (2) the role of parents; (3) acceptability of partial testing; (4) the extent to which decisions are based on category of disability or placement; (5) assessing what is taught; (6) high stakes assessments versus other assessments; (7) alternate means of assessment; and (8) reporting of results. The report notes that nearly every state is in the process of reviewing and changing its guidelines for participation and accommodation. (DB)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED 385 059

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☑ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

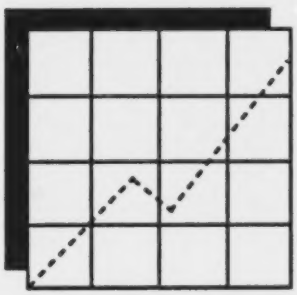
J. Kridyla

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

2

BEST COPY AVAILABLE

Synthesis Report 17



A Compilation of States' Guidelines for Including Students with Disabilities in Assessments

Prepared by:
Martha L. Thurlow, Dorene L. Scott, and
James E. Ysseldyke

National Center on Educational Outcomes

The College of Education
UNIVERSITY OF MINNESOTA

February 1995

The National Center on Educational Outcomes (NCEO), established in 1990, works with state departments of education, national policy-making groups, and others to facilitate and enrich the development and use of indicators of educational outcomes for students with disabilities. It is believed that responsible use of such indicators will enable students with disabilities to achieve better results from their educational experiences. The Center represents a collaborative effort of the University of Minnesota, the National Association of State Directors of Special Education, and St. Cloud State University.

The Center is supported through a Cooperative Agreeement with the U.S. Department of Education, Office of Special Education Programs (H159C00004). Opinions or points of view do not necessarily represent those of the U.S. Department of Education or Offices within it.

NCEO Core Staff:

Robert H. Bruininks
Judith L. Elliott
Ron Erickson
Patricia Grafstrom
Kevin S. McGrew
Dorene L. Scott
Patricia Seppanen
Martha L. Thurlow, Assistant Director
James E. Ysseldyke, Director

Additional copies may be ordered for **$15.00.** Please write:

Publications Office
NCEO
350 Elliott Hall
75 East River Road
University of Minnesota
Minneapolis, MN 55455

TABLE OF CONTENTS

Overview 1

References 8

ALABAMA 9
ALASKA 13
ARIZONA 14
ARKANSAS 15
CALIFORNIA 16
COLORADO 17
CONNECTICUT 18
DELAWARE 20
FLORIDA 22
GEORGIA 23
HAWAII 25
IDAHO 26
ILLINOIS 30
INDIANA 31
IOWA 32
KANSAS 33
KENTUCKY 35
LOUISIANA 41
MAINE 42
MARYLAND 44
MASSACHUSETTS 48
MICHIGAN 49
MINNESOTA 51
MISSOURI 55
MONTANA 56
NEBRASKA 57
NEVADA 58
NEW HAMPSHIRE 59
NEW JERSEY 60
NEW MEXICO 63
NEW YORK 65
NORTH CAROLINA 66
NORTH DAKOTA 68

TABLE OF CONTENTS, con't.

OHIO 69
OKLAHOMA 71
OREGON 72
PENNSYLVANIA 74
RHODE ISLAND 75
SOUTH CAROLINA 77
SOUTH DAKOTA 82
TENNESSEE 83
TEXAS 85
UTAH 86
VERMONT 87
VIRGINIA 88
WASHINGTON 91
WEST VIRGINIA 92
WISCONSIN 93
WYOMING 97

A Compilation of Guidelines on the Participation of Students with Disabilities in Statewide Assessments

Overview

The exclusion of students with disabilities from national and state assessments has become an issue of much concern within the past five years. During this period of time, we have come to realize that neither our national assessment programs nor most statewide assessment programs provide good data on students with disabilities. The reason for this, in the majority of cases, is that students with disabilities are not included in the assessments. While many of these assessments are not appropriate for a small percentage of students (estimated to be less than 2% of the student population), a large percentage of the excluded students (estimated to be close to 85% of students with disabilities) are capable of taking the assessments. Some of these students are capable of taking the assessments without any modifications at all, while others need various accommodations to take the assessments.

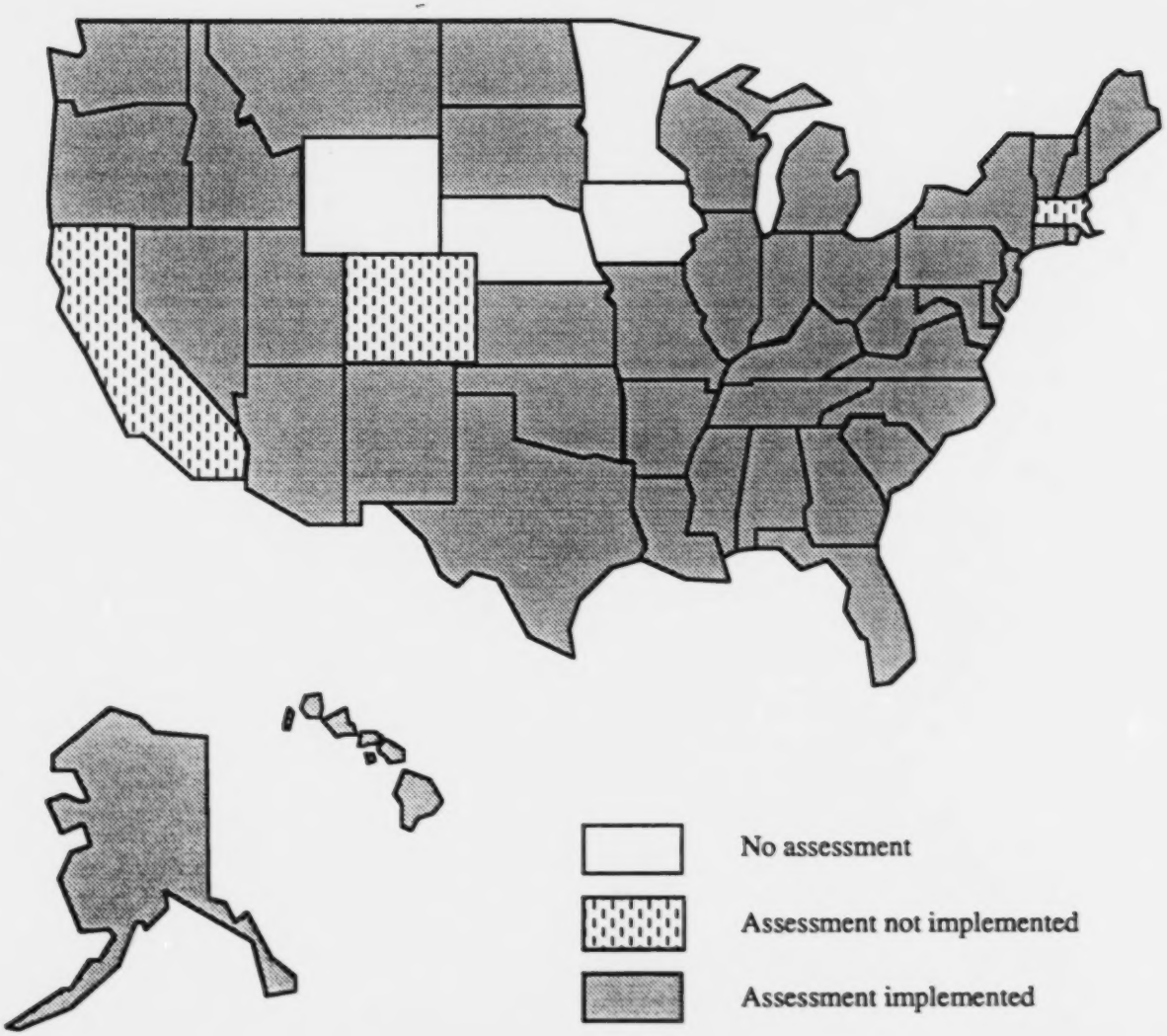
In 1993, Thurlow, Ysseldyke, and Silverstein presented the participation guidelines from 29 states that indicated they had them at the time of a state survey conducted in 1992. In 1993, this information was updated. At that time, 34 states provided their guidelines. In 1994, a total of 45 states indicated that they had guidelines for the participation of students with disabilities in assessments. Obviously, much has been happening in the states in terms of writing guidelines about the participation of students with disabilities in assessments (Thurlow, et al., 1994).

Probably one factor that has led to this activity is an interest in obtaining better information on the results of education for all students. The notion of all students as including students with disabilities and students with limited English proficiency, along with "typical" students, first became evident in the words of President Bush and the governors of the 50 states when they identified national education goals to be reached by all students by the year 2000. These words have been reinforced in various forms since that time, and now are reflected in national education reform law 103-227 (*Goals 2000: Educate America Act*) and the revised elementary and secondary education act (103-328), now known as *Improving America's Schools Act.*

The purpose of this document is to provide an updated listing of the states' written guidelines on the participation of students with disabilities in assessments. States without guidelines in the 1993 report, or with guidelines older than 1991, were contacted via telephone, and requests made for their most recent written guidelines. Guidelines were provided by 42 states. One of the states that sent guidelines, California, actually was not using its assessment due to the governor's veto of funding. Two states (Montana, West Virginia) did not send updates for the guidelines we had. Thus, there are currently 43 states that have and are using guidelines on the participation of students with disabilities in statewide assessments (see Figure 1). The seven other states were either ones without state assessments or ones where the state assessment was not being implemented:

No Assessment	Assessment Not Implemented
Iowa	California
Minnesota	Colorado
Nebraska	Massachusetts
Wyoming	

Figure 1
Status of Statewide Assessment
(January, 1995)



Overview of the Guidelines

The guidelines are interesting, in part, because of the variability from one state to another. Based on our experiences working with states and federal data collection agencies during the past several years, the trends we see are equally important. These trends fall into the categories of (a) IEP function, (b) the role of parents, (c) acceptability of partial testing, (d) the extent to which decisions are based on category of disability or placement, (e) assessing what is taught, (f) high stakes assessments versus other assessments, (g) alternate means of assessment, and (h) reporting of results. Each of these is treated briefly here.

IEP function. The role of the Individualized Education Program (IEP) or IEP team in making decisions about the participation of students with disabilities in assessments is a part of the guidelines in the following 32 states:

Alabama*	Kentucky*	Oklahoma*
Alaska*	Louisiana*	Pennsylvania
Arizona*	Maryland*	Rhode Island*
Arkansas	Michigan	South Carolina*
Connecticut*	Mississippi*	Tennessee
Delaware*	Missouri*	Texas*
Florida	Nevada*	Vermont
Georgia*	New Jersey*	Virginia*
Idaho*	New Mexico*	West Virginia*
Illinois*	New York	Wisconsin*
Kansas*	North Dakota*	

Regardless of other specific criteria that are used, these 32 states continue to emphasize the IEP as the final decision guideline. In 25 of these states (those with an asterisk) the IEP document must include a statement about the participation of the student in the statewide assessment.

Role of parents. Sixteen states refer directly to the role of parents in decisions about participation in statewide assessments. These states are:

Alabama*	Idaho	South Dakota
Arizona	Illinois	Vermont
Arkansas	Michigan*	Virginia
Connecticut	Oklahoma	Washington
Florida*	Pennsylvania	Wisconsin
Georgia*		

It is interesting to note that four of these states (those with an asterisk) have high stakes assessments (usually, assessments that determine whether the student will receive a regular diploma). All of these four have a requirement that the parent/guardian must be informed that nonparticipation in the assessment means the student will not receive a regular diploma. Some IEPs must show proof that the parent/guardian understands this consequence.

Acceptability of partial testing. One factor that can lead to students being excluded from assessments is their inability to participate in some parts of the assessment (see McGrew, Thurlow, & Spiegel, 1993). The notion of partial testing (i.e., taking part of a test, but not all of it, such as the math portion but not the reading portion) has been recommended as one way to help increase the participation of students with disabilities in our educational accountability systems (Ysseldyke & Thurlow, 1994). Several states address the possibility of partial testing in their guidelines. These states are:

Arkansas	Maine	New Hampshire
Connecticut	Montana	North Carolina
Illinois	Nevada	Wisconsin

It is interesting that of these nine states, seven specifically recommend partial testing. Arkansas and North Carolina are the only states that specifically indicate that partial testing is not acceptable. Montana recommends that students not participate in the sections of the test on content for which they receive exclusive special education instruction (non-accountability for special education?). Maine's guidelines provide a particularly nice statement justifying partial assessment:

> On occasion, it will be necessary to exclude a student from sections of the assessment or from the assessment as a whole. Since it is clearly the legislation's intent to involve as many students as possible in the assessment, exclusion should be limited to those sections that are inappropriate for the particular student. Exclusion should be chosen only after fully exploring the various types of modifications available. Exclusion is appropriate only if the assessment tool will not yield a valid indication of how a student functions in a given content area. For example, a student who is reading two years below level **should** take the Reading section because the scores will give a fair representation of that student's current level of functioning in that area." (emphasis in original)

New Hampshire's guidelines say virtually the same thing. It is likely that the practice of partial testing will receive continued attention in the future as states reconsider their guidelines for participation in assessments.

Extent to which decisions are based on category of disability or placement. Fifteen states have guidelines that recommend decisions about participation in assessment be based, in whole or in part, on the category and/or placement of the student with the disability. These states are:

Arizona	Hawaii	Nevada
Arkansas	Idaho	North Dakota
California	Indiana	Rhode Island
Delaware	Mississippi	Utah
Florida	Montana	Washington

In several of these states, the guidelines mirror those used by the National Assessment of Educational Progress (see Ysseldyke, Thurlow, McGrew, & Vanderwood, 1994), which refers to "less than 50 percent of the time in academic subjects" and "incapable of taking part meaningfully."

The states that refer to categories of disability (Arizona, Florida, Mississippi) do not necessarily refer to the same categories. For example, Arizona states that students are exempt from the testing requirement if they are at least one of the following, where the first condition is a list of disabilities ("trainable mentally handicapped, educable mentally handicapped, visually handicapped, hearing handicapped, multiple handicapped, or seriously emotionally handicapped"). Both Florida and Mississippi use a combined requirement that refers to both category and placement. For example, Florida lists seven categories that may be exempt (educable mentally handicapped, trainable mentally handicapped, hearing impaired, specific learning disabled, emotionally handicapped, profoundly handicapped, and physically impaired—those whose ability to communicate orally or in writing is seriously impaired). The second requirement (placement) is the following:

> Exceptional students, classified as one of the seven exceptionalities listed above, should be encouraged to take the regular Statewide Assessment tests if they participate **12 hours or less per week** in an exceptional student education program. If they participate **more than 12 hours per week** in such a program,

they should take the regular tests only if a parent or guardian requests that they do so (emphasis in original).

Mississippi lists 15 disabilities (educationally disabled, educable mentally retarded, trainable mentally retarded, severely profoundly retarded, specific learning disabled, visually impaired, traumatic brain injury, deaf blind, hearing impaired, language/speech, multi-disabled, physically disabled, developmentally delayed, autism, emotionally disabled), but also states that "certain Special Education students must participate in the Mississippi Assessment System." Mississippi lists two conditions that preclude exclusion from assessment:

(1) Those students who are working toward and plan to receive a regular high school diploma and who can take the test without accommodations or with allowable accommodations.

(2) Those students who are enrolled in three or more *regular education academic classes** such as reading, language arts, mathematics, science, social studies, vocational courses, and foreign languages, and who can take the test without accommodations or with *allowable accommodations*.

Nevada's guidelines state "Exceptional students who receive instruction in English and/or mathematics in regular classrooms and can be tested under the standardized conditions used with regular students, without accommodations that would disrupt others taking the test, should be tested with their classmates and their results included with those in the regular program when the answer sheets are submitted for scoring." In the Washington guidelines, decisions on exclusion are to be made by considering the student's day-to-day program placement, as well as parental expectations.

Assessing what is taught. Several states discuss the importance of assessing student achievement, cautioning against measurement of what the student has not had the opportunity to learn. Ten states caution that assessment of students in special education is not appropriate if it does not measure what the student has been taught:

Connecticut	Montana	Oregon
Kansas	New Jersey	Virginia
Maryland	North Carolina	Wisconsin
Michigan		

Some states also argue that the process is meaningless if it is not a valid assessment of a student's proficiency. Out-of-level testing, to assess students at their instructional levels, is allowed by Connecticut, Kansas, North Carolina, and Oregon.

High stakes assessments versus other assessments. There are 17 states that require students to pass an assessment in order to receive a regular graduation diploma:

Alabama	Michigan	Ohio
Florida	Mississippi	South Carolina
Georgia	Nevada	Tennessee
Hawaii	New Jersey	Texas
Louisiana	New Mexico	Virginia
Maryland	New York	

Though many states offer a certificate of completion or a special education diploma, the regular diploma is attainable for most students with disabilities. Many states' guidelines refer to the student's right to earn a regular diploma, and quote the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973 as their critical guides in making the decision to include students with disabilities in regular assessment. The student's instructional planning team has the responsibility of assuring that the student has the opportunity to be taught what will be measured, to decide the

appropriateness of instruction, accommodation, and assessment. The right to take the test for a regular diploma is so important that Georgia requires the signature of a parent or legal guardian and/or the student (if 18 years old or older) when there is a recommendation to exclude a student from the high school graduation test. It must be explained to all parties that this decision (to exclude from assessment) may be reversed for future test administrations.

Alternate means of assessment. Several states have available different forms of assessment for students for whom the regular statewide assessment is inappropriate. This approach seems to be taken when there is a desire to adhere to the standardized procedures of administration for the regular assessment. The standardized procedure is viewed as not appropriate for some students. There also is the attempt to select an assessment that will give a true measure of a student's proficiency. These states have designed or selected alternative assessment for those purposes:

Illinois	Maryland	North Carolina
Kentucky	Michigan	Tennessee

Illinois, North Carolina, and Tennessee offer a variety of alternative local assessments that are selected to be appropriate to the disability of the student and/or to measure progress toward the goals named on the student's IEP. The existing alternative assessment program in Maryland is designed to measure alternative outcomes, which are part of the student's IEP. Michigan, when exempting a student from the general proficiency testing, must determine what assessment criteria will be used as the basis for awarding the state endorsed diploma. Kentucky has an alternate portfolio assessment program, for students who cannot either participate fully or who participate with accommodations in the regular state assessment.

Reporting of results. Twenty-four states describe what they do with data on students with disabilities:

Florida*	Maryland	Ohio*
Georgia*	Michigan	Oklahoma*
Hawaii*	Mississippi*	Oregon*
Idaho*	Missouri*	Rhode Island*
Indiana*	Nevada	South Dakota
Kansas*	New Hampshire	Tennessee
Kentucky	New Jersey	Vermont
Louisiana*	North Dakota*	Utah

The data include results of standard administrations of assessments, accommodated administrations of assessments, administrations of alternate assessments, and records of the numbers and/or who was excluded from assessment.

Of the 24 states that describe what they do with data on students with disabilities, 14 states (above with asterisk) include in their guidelines that the data from students with disabilities are not aggregated in data reports. Kentucky aggregates and reports all data from students with disabilities and students without disabilities at the home school level. Other states that report data have varying rules about what data are reported. For example, in Nevada only those students with disabilities who have English and/or math in the mainstream have their test scores included with other students in the mainstream. Some states that exclude students with disabilities from data aggregations have guidelines that state that data from gifted students are included in data aggregations and reports (e.g., Kansas, Louisiana).

Eight states have documentation of the number of students that have been excluded from their state assessments:

Maryland	New Jersey	Vermont
Michigan	South Dakota	Utah
New Hampshire	Tennessee	

Summary

The exclusion of students with disabilities from assessments is being addressed by states. Nearly every state is in the process of reviewing and changing its guidelines for participation and accommodations. Many exemplary efforts are in progress across the country. We hope that this compilation of current guidelines will assist states and local education agencies as they work toward improving the results of education for all students.

The guidelines for the states providing them are presented in this document, organized alphabetically by state. We attempted to pull out from the states' written documents those parts that address the participation of students with disabilities in their assessments. We reproduced, as closely as possible, the formats in which the guidelines were originally presented by the states. We have provided the citations for the documents from which the guidelines were pulled. The reader should be aware that given the changes that have already occurred in these documents, additional changes are likely to be made.

We are preparing another document (Thurlow, Scott, and Ysseldyke, 1995) on the guidelines that states have about the use of accommodations during assessments. This is another area where states have been making many changes in their written guidelines.

References

McGrew, K., Thurlow, M. L., & Spiegel, A. N. (1993). The exclusion of students with disabilities in national data collection programs. Educational Evaulation and Policy Analysis, 15, 339-352.

Thurlow, M. L., Ysseldyke, J. E., & Silverstein, B. (1993). Testing accommodations for students with disabilities: A review of the literature. (Synthesis Report 4). Minneapolis, MN: National Center on Educational Outcomes.

Thurlow, M. L., Shriner, J., & Ysseldyke, J. E. (1994). Students with disabilities in the context of educational reform based on statewide educational assessments. Paper presented at the annual meeting of the American Educational Research Association, New Orleans.

Thurlow, M. L., Scott, D. L., & Ysseldyke, J. E. (1995). A compilation of states' guidelines for accommodations in assessments for students with disabilities. (Synthesis Report 18). Minneapolis, MN: National Center on Educational Outcomes.

Ysseldyke, J. E., & Thurlow, M. L. (1994). Guidelines for inclusion of students with disabilities in large-scale assessments. (Policy Directions 1). Minneapolis, MN: National Center on Educational Outcomes.

Ysseldyke, J. E., Thurlow, M. L., McGrew, K., & Vanderwood, M. (1994). Making decisions about the inclusion of students with disabilities in large-scale assessments: A report on a working conference to develop guidelines on inclusion and accommodations. (Synthesis Report 13). Minneapolis, MN: National Center on Educational Outcomes.

ALABAMA

Alabama State Department of Education. (1993). Alabama student assessment program policies and procedures for students of special populations: Bulletin 1993, No. 49. Montgomery, AL. Pp. 2-5, 7-9.

General Policies for Students of Special Populations

1. All decisions regarding the Student Assessment Program for students of special populations must be made on an individual basis.

2. Students of special populations who participate in the Student Assessment Program must be given practice in taking tests similar in format and content prior to participating in an assessment.

3. All students of special populations must have the opportunity to participate in the Alabama Student Assessment Program as well as to earn the necessary Carnegie units to meet high school graduation requirements as listed in the brochure *High School Basic Skills Exit Exam Requirement*.

4. Students of special populations who do not take or who fail to pass the *High School Basic Skills Exit Exam* (Exit Exam) must be treated the same as regular students who do not take or fail to pass the Exit Exam. It will be the responsibility of the Local Education Agency (LEA) to notify students and parents of the consequences of not taking or of failing the test.

5. Students of special populations must have the same opportunity for remediation for the Exit Exam as regular students. All remediation efforts must be documented in the student's records.

6. Parents/guardians should be informed about testing, understand the purpose of testing, and know the meaning and any implication of the results.

7. Implementation of the administrative requirements of these regulations shall be accomplished according to a schedule adopted and approved by the State Superintendent of Education.

Students must be identified (according to state and federal regulations) and be receiving special education services in order to be governed by the information in this section.

Applicable Laws

The federal and state statutes which deal with the education of students with disabilities are the *Individuals With Disabilities Education Act* (IDEA) and the *Alabama Exceptional Child Acts*. It is the purpose of these acts to ensure that all children with disabilities have available to them a free appropriate education designed to meet their individual needs.

Participation in the Student Assessment Program

All decisions as to whether a student receiving special education services will participate in the testing program **must** be made by the Individualized Education Program (IEP) Committee. The IEP Committee should consider the content and nature of the specific assessment and the nature of the student's disability in decision making for participation in the assessment. When the decision for or against participation is made, the IEP Committee must complete the form, Alabama State Testing Program, found in Appendix A,

Page 17. Once the form is completed, it becomes a part of the student's IEP and should be attached to the IEP.

Norm-Referenced Tests

The following norm-referenced tests are included in the Alabama Student Assessment Program:

Stanford Achievement Test
Otis Lennon School Ability Test (OLSAT)
Differential Aptitude Tests (DAT) with *Career Interest Inventory*

Only those students who can adhere to all standardized procedures for administration will participate in norm-referenced testing. Accommodations that do not change standardized procedures will continue to be approved. See Stanford Achievement Test Accommodations Checklist and/or Differential Aptitude Tests (DAT) with Career Interest Inventory Accommodations Checklist in Appendix A, Pages 19 and 20.

Criterion-Referenced Tests

The following criterion-referenced tests assessing minimum performance levels are included in the Alabama Student Assessment Program:

Basic Competency Tests (BCT)
High School Basic Skills Exit Exam (Exit Exam)

If the IEP Committee determines from all available data, including but not limited to assessment data and teacher evaluations, that the student will work toward a high school diploma, the educational program for the student must include instruction in the content covered on the BCT and the Exit Exam. The content is outlined in *Minimum Standards and Competencies* (Reading, Mathematics, and Language) for Alabama Schools, Bulletin 1989, No. 37 and Minimum Standards and Competencies (Reading, Language, Mathematics) For Alabama Schools, Bulletin 1982, No. 25.

If the IEP Committee determines that the student will not work toward a high school diploma, the educational program of the student would not require instruction in the content covered on the BCT and Exit Exam, nor should the student be required to take the Exit Exam. This decision must be reviewed on an annual basis or more often as required, and such decisions must be documented fully in the student's IEP. Nothing contained herein should be understood as suggesting that any student should not have the opportunity to attempt the BCT and Exit Exam. See Basic Competency Test (BCT)/High School Basic Skills Exit Exam (Exit Exam) Accommodations Checklist in Appendix A, Page 18, for acceptable testing accommodations.

The following criterion-referenced tests assessing appropriate grade-level performance are included in the Alabama Student Assessment Program:

Integrated Reading and Writing Assessment for Grade Two
Alabama Direct Assessment of Writing: Grade Five
Alabama Direct Assessment of Writing: Grade Seven
Algebra I End-of-Course Test
Geometry End-of-Course Test

The IEP Committee should consider the nature of the specific assessment and the nature of the student's ability in decision making regarding grade-level criterion-referenced testing. See Grade-Level Criterion-Referenced Test Accommodations Checklists, Appendix A, Page 21, for acceptable accommodations.

504 Services

Students must be identified (according to federal regulations) and be receiving 504 services in order to be governed by the information in this section.

Applicable Laws

Section 504 of the Rehabilitation Act of 1973 provides that an otherwise qualified handicapped individual may not, solely by reason of this handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination, under any program or activity receiving federal financial assistance or under any program or activity conducted by any executive agency. Section 84.4 (b) (3), a key implementing regulation, states that despite the existence of separate or different programs for handicapped children, a recipient may not deny a qualified handicapped person the opportunity to participate in programs or activities that are not separate or different.

Participation in the Student Assessment Program

All decisions as to whether a student receiving 504 services will participate in the testing program **must** be made by the 504 Committee. The 504 Committee should consider the content and nature of the specific assessment and the nature of the student's disability in decision making for participation in the assessment. When the decision for or against participation is made, the 504 Committee must complete the form, Alabama State Testing Program, found in Appendix A, Page 17. Once the form is completed, it becomes a part of the student's 504 Plan and should be attached to the 504 Plan.

Norm-Referenced Tests

The following norm-referenced tests are included in the Alabama Student Assessment Program:

Stanford Achievement Test
Otis Lennon School Ability Test (OLSAT)
Differential Aptitude Tests (DAT) with Career Interest Inventory

Only those students who can adhere to all standardized procedures for administration will participate in norm-referenced testing. Accommodations that do not change standardized procedures will continue to be approved. See Stanford Achievement Test Accommodations Checklist and/or Differential Aptitude Tests (DAT) with Career Interest Inventory Accommodations Checklist in Appendix A, Pages 19 and 20, for acceptable accommodations.

Criterion-Referenced Tests

The following criterion-referenced tests assessing minimum performance levels are included in the Alabama Student Assessment Program:

Basic Competency Tests (BCT)
High School Basics Skills Exit Exam (Exit Exam)

If the 504 Committee determines from all available data, including but not limited to assessment data and teacher evaluations, that the student will work toward a high school diploma, the educational program for the student must include instruction in all content covered on the BCT and Exit Exam. The content is outlined in *Minimum Standards and Competencies (Reading, Mathematics, and Language) for Alabama Schools*, Bulletin 1989, No. 37 and *Minimum Standards and Competencies (Reading, Language, Mathematics)* For Alabama Schools, Bulletin 1982, No. 25.

If the 504 Committee determines that the student will not work toward a high school diploma, the educational program of the student should not require instruction in the content covered on the BCT and Exit Exam, nor should the student be required to take the Exit Exam. This decision must be reviewed on

an annual basis or more often as required, and such decisions must be documented fully in the student's 504 Plan. Nothing contained herein should be understood as suggesting that any student should not have the opportunity to attempt the BCT and Exit Exam. See Basic Competency Test (BCT)/High School Basic Skills Exit Exam (Exit Exam) Accommodations Checklist in Appendix A, Page 18, for acceptable testing accommodations. The following criterion-referenced tests assessing appropriate grade-level performance are included in the Alabama Student Assessment Program:

Integrated Reading and Writing Assessment for Grade Two
Alabama Direct Assessment of Writing: Grade Five
Alabama Direct Assessment of Writing: Grade Seven
Algebra I End-of-Course Test
Geometry End-of-Course Test

The 504 Committee should consider the nature of the specific assessment and the nature of the student's disability in decision making regarding grade-level criterion-referenced testing. See Grade-Level Criterion-Referenced Test Accommodations Checklist, Appendix A, Page 21, for acceptable accommodations.

ALASKA

Alaska Department of Education. (August, 1994). Alaska special education handbook: For serving students with disabilities. Juneau, AK.

If it is the judgment of the IEP team that the child cannot participate in the statewide achievement testing program this should be noted on the IEP.

ARIZONA

Arizona Department of Education. (August, 1993). Assessment: Once again serving teaching and learning. The Arizona Student Assessment Program. Phoenix, AZ. P. 5.

How Does the ASAP Impact Special Groups of Students?

All students will take the state ASAP assessments in grades 3, 8, and 12, with the exception of those students exempted by an Individual Educational Plan.

Students in special education programs who fall within the guidelines for mediated administration will take the same state assessments with mediation. These students will be given special assistance from the test administrator in tasks related to the students' disabilities.

Limited English Proficient students who fall within the guidelines also may take the state assessments with mediation. This means that students will be given specific assistance from the test administrator in understanding the language (English). Eligible Spanish-speaking students may take the Spanish version of the state assessments.

From "Article 3. Achievement Testing (15-744)" p. 3.

A. A pupil is exempt from the testing requirement prescribed by this article if the pupil is at least one of the following:

1. Trainable mentally handicapped, educable mentally handicapped, visually handicapped, hearing handicapped, multiple handicapped or seriously emotionally handicapped.
2. Not required to attend regular classes in a school as provided in this title.
3. Learning disabled and the pupil's individual educational plan states that parts or all of the testing requirement prescribed by this article would be detrimental to the pupil.
4. Pupils in classes which are designated as post-kindergarten and pre-first grade level.

D. At the request of a pupil's parent or guardian, the governing board of a school district shall administer any test required by this article to pupils exempted from the testing requirement pursuant to this section.

ARKANSAS

Arkansas Department of Education. (January, 1993). Director's communication. No. 93-10. (Citing: Arkansas Code Annotated 6-15-401, et seq. as regulatory authority.) Little Rock, AR. Pp. 3, 5.

Students Receiving Special Education Services

The norming population of the Stanford Achievement Test, 8th Edition, included students who were receiving special education and related services and who were able to take the tests under standardized conditions. Therefore, all students in grade 4, 7 and 10 should be tested except those for whom this type of test is clearly inappropriate. The Arkansas Department of Education has provided the following guidelines for local education agency personnel to determine students for whom the Stanford Achievement Test is inappropriate.

THE INDIVIDUAL EDUCATION PROGRAM (IEP) COMMITTEE MUST ANSWER THE FOLLOWING QUESTIONS FOR EACH STUDENT RECEIVING SPECIAL EDUCATION AND RELATED SERVICES:

Code

1. Does the student receive instruction in the regular classroom setting in reading, language, mathematics, science and social studies, or any combination thereof, for at least 50% of the school day?

2. Does the student normally take classroom tests in the regular classroom setting without special accommodations?

3. Can the student physically adhere to the standardized administration procedures and time limits?

Any student for whom ALL the above questions are answered in the affirmative will be tested on the entire norm-referenced test. No partial testing will be allowed. Students excluded from the test and the reasons for exclusions are to be listed on the Exclusion Roster.

If a parent of a student with disabilities requests for his/her child to take the test with accommodations that are not allowed, you may wish to contact Legal Services at the Arkansas Department of Education for assistance in handling the parent's request.

CALIFORNIA

Note: The California Learning Assessment System (CLAS) was vetoed by the governor on September 27, 1994. The state's guidelines prior to the governor's action are included here.

California Department of Education. (1994). District and school coordinator's manual: California learning assessment system. Sacramento, CA. P. 15.

STUDENTS WHO ARE REQUIRED TO BE ASSESSED

Special Education Students Who Are Required to be Assessed: Special education students who are enrolled in regular class, are classified as fourth, fifth, eighth, or tenth graders for enrollment purposes, have learning disabilities, and have an individualized education program (IEP) are required to be assessed (this includes students who participate in pull-out type programs, such as resource specialist programs). **Authorized accommodations for students with disabilities and special needs are described on page 18 in this manual.**

Continuation Schools or Classes: Students enrolled in continuation schools or classes are required to be assessed.

STUDENTS WHO ARE NOT REQUIRED TO BE TESTED

Special Education Students Who Are Not Required to be Assessed: Special education students who are enrolled in special day classes or centers are not required to be assessed.

Students with Physical Disabilities: Students with physical disabilities that prevent their taking the assessment in the same manner in which it is administered to other students, and for whom extended time, small group testing, and enlarged print are not adequate accommodations, are not required to be assessed.

Alternative Schools and Independent Study: Students enrolled in alternative schools, such as juvenile court schools, or independent study are not required to be assessed.

Alternative Assessment Provisions for Limited-English-Proficient Students Who Are Currently Receiving Instruction Primarily Through a Language Other Than English: Any Limited-English-Proficient (LEP) student who has been enrolled in school in the United States for 30 school months or more, and is currently receiving instruction in the content areas covered by CLAS primarily in a language other than English, is **not** required to take the English language version of the CLAS, **if the school assesses the student with alternative assessments in the language of instruction in the content areas covered by CLAS.**

School Test Coordinators must report to the California Department of Education what alternative assessments are used with these students on the Alternative Assessment Certification Form that is provided (one form per grade level). These forms should be returned with all the assessment materials to the District Test Coordinator. (This provision has not been changed since the 1993 assessments.) Refer to pages 16 and 17 for an illustration of the Alternative Assessment Certification Form. District Test Coordinators/School Test Coordinators should follow existing procedures and/or guidelines for getting the information from the teachers to fill out the Alternative Assessment Certification Form.

COLORADO

Colorado Department of Education. (November, 1994). Denver, CO.

Guidelines for including and making accommodations for students with disabilities for participation in the Colorado state assessment are currently being revised to be in place for the 1996-97 school year. The Colorado state-wide assessment is under moratorium while the guidelines are being developed.

CONNECTICUT

Bureau of Evaluation and Student Assessment, Connecticut State Department of Education. (1993). Guidelines for administering student assessments. Hartford, CT. Pp. 1-2, 4.

Section I. Purpose of the Guidelines

Participation in the Connecticut Mastery Test (CMT)/Connecticut Academic Performance Test (CAPT) is required by Connecticut state law (C.G.S. 10-14m-r; see Appendix A) and constitutes an important educational opportunity for all students (see Background Appendix B). The law states that each student enrolled in the fourth, sixth, eighth or tenth grade must be tested. Additionally, each student who scores below the statewide remedial standard on one or more parts of the CMT at grade 8 will be retested on those parts, annually, during the appropriate administration.

The law also provides for the exemption from testing of special education students who are exempted by a Planning and Placement Team (PPT) decision, students enrolled in a Bilingual Education program for three years or less or students in an English as a Second Language (ESL) program for three years or less. (See Appendix A Section 10-14q and Appendix C Section 10-17e.) The criteria to exempt bilingual and ESL students is explicit. However, the criteria used for the exemption of special education students requires professional judgment at the local level.

The decision to exempt a student from the testing is the responsibility of the PPT. In order to facilitate this process, the Department of Education has developed the following guidelines to help the PPT in the decision making process.

However, it is important for the PPT to be aware of the State Board of Education's Position Statement on the Education of Students with Disabilities which calls for the provision of opportunities for students with disabilities to achieve statewide student goals as outlined in the Common Core of Learning (Appendix D) and participate in efforts to assess student outcomes. Participation in the CMT is one valid means of assessing student outcomes.

The following issues should be considered prior to determining if the student meets the criteria for exemption:

- Whether the student demonstrates emotional maladjustment or physical handicaps to such a degree that participation in testing would yield uninterpretable results;
- Whether there is evidence that formal test situations, even with modifications, create a dysfunctional emotional state which impairs the student's performance;
- Whether there is evidence that even if modifications were made (see Section III) testing would not yield a valid assessment of the student's ability; and
- **FOR CAPT ONLY:** Prior to any PPT decision by the PPT, both the student and the parent/guardian must be informed of the consequences of exemption from the test.

Special education students should be exempted from appropriate grade level testing only if they meet at least one of the criteria below:

1. The student does not receive any instruction on the curriculum/content being assessed. That is, the student's Individual Education Program (IEP) does not contain academic goals/objectives that are

consistent with what is being assessed at that student's designated grade level by the CMT/CAPT (see Apendix E).

2. The student's performance on the CMT/CAPT will not provide a valid measurement of the student's academic performance.

If your decision is to exempt the student, then the student must be evaluated for inclusion in the out-of-level option (see p. 5). If a student does not clearly meet at least one of the two above criteria for exemption, then the partial testing option (see p. 4) and/or the allowable testing modifications (see p. 6) must be considered.

Section II. Testing Options

Option 2: Partial Testing of the CMT/CAPT that corresponds to the student's designated grade level.

For students who:

- Have been formally and specifically exempted from at least one but not all sections of the grade appropriate version of the CMT/CAPT by a PPT;
- Are enrolled in grades 4, 6, 8 or 10;
- Receive instruction on at least some of the objectives/concepts being assessed at the grade appropriate level version of the CMT/CAPT; and
- Have IEPs that contain academic goals and objectives that are consistent with at least some of the skills being assessed by the appropriate grade level version of the CMT/CAPT.

Testing Requirements For Option 2

The student has specifically been exempted by a PPT from one or more but not all sections of the grade appropriate CMT/CAPT.

For any section that the student has **not** been exempted from, those sections must be tested according to Option 1 (p. 3).

Testing in those specific areas where the student is exempted from the grade appropriate CMT, must be considered under the Out-of-Level option (see Out-of-Level option p. 5). The Out-of-Level option is not available for CAPT at this time.

All sections of the CMT whether the grade appropriate or out-of-level forms can be administered using certain testing modifications (see Section III Modifications for Testing, p. 6).

DELAWARE

Delaware Department of Public Instruction. (January, 1993). Guidelines for the inclusion of students with disabilities and students with limited English proficiency. Dover, DE. Pp. 6, 11.

EXEMPTIONS

For the Interim Assessment Program, there are exemptions.

1. Students who meet the criteria in Appendix C may be exempt. These students are generally those who have moderate to severe cognitive disabilities and represent 1%-2% of the total student population. The decision must be made individually by the student's IEP or 504 team and the reason(s) for exemption must be documented in the student's file.

2. Students who are in temporary placements may be exempt. This includes students in hospitals, corrections facilities, day treatment centers, and those on homebound instruction. The exemption must be documented.

APPENDIX C
Criteria for Exemption of Students with Disabilities from Assessment on the Basis of Alternative Programming

Students with disabilities will be eligible for exemption from the Interim Assessment when the student's IEP committee has:

1. Determined and verified on the student's individual education program (IEP) that the student meets all of the eligibility criteria below, and

2. Documented in writing in the student's record the basis for its decision, using current and longitudinal data (such as including performance data across multiple settings in the areas of academics, communication, cognition, social competence recreation/leisure, domestic community living and vocational skills; behavior observations in multiple settings; adaptive behavior; and continuous assessment of progress on IEP goals and objectives). This will help ensure that the students meet the following criteria:

   (a) The student's demonstrated cognitive ability and adaptive behavior itself could prevent completing the course of study even with program modifications and adaptations; **and**

   (b) The student's current adaptive behavior requires extensive direct instruction in multiple settings to accomplish the application and transfer of skills necessary for functional application in domestic community living, recreational/leisure, and vocational activities in school, work, home, and community environments; **and**

   (c) The student's inability to complete the course of study may not be the result of excessive or extended absences; it may not be primarily the result of visual or auditory disabilities, specific learning disabilities, emotional-behavioral disabilities, or social, cultural, and economic differences; **and**

   (d) The student is unable to apply or use academic skills at a minimal competency level in natural settings (such as the home, community, or work site) when instructed solely or primarily through school based instruction; **and**

(e) For eighth and tenth grade students with disabilities, the student is unable to:

(1) Complete a regular diploma program even with extended school services, schooling, program modifications, and adaptations; **and**

(2) Acquire, maintain, generalize skills and demonstrate performance without intensive frequent, and individualized community-based instruction.

FLORIDA

Florida Department of Education. (1991). Assessment procedures, March 1991. Tallahassee, FL.

Students classified in certain exceptional categories who have active IEPs are exempt from testing. Parents who wish to have such students meet the requirements for a regular high school diploma rather than a diploma for exceptional students may opt to have their children participate in high school graduation testing. Districts may also choose to have excluded exceptional students participate in statewide assessment programs. Excluded exceptional categories and permissible test administration modifications for such students are explained in the attachment.
Scores for excluded exceptional students are excluded from school and district totals. However, scores are reported to parents and at class, school, and district levels. Scores for exceptional categories are summarized by the Department.

Who Will Be Tested

4. Visually impaired students will take the test in special format: large print or Braille.

Who May Be Exempted from Testing

There will be some students, however, who **may** be exempted from testing:

2. Students who have a temporary physical disability (e.g., broken arm) or temporary emotional problem (e.g., recent death in the family) and who cannot be available March 4-March 15 for regular or makeup testing

3. Full- or part-time exceptional students who have been classified, according to State Board Rule 6A-6.331, as:

    a. Educable Mentally Handicapped
    b. Trainable Mentally Handicapped
    c. Hearing Impaired
    d. Specific Learning Disabled
    e. Emotionally Handicapped
    f. Profoundly Handicapped
    g. Physically Impaired, whose ability to communicate orally or in writing is seriously impaired

Exceptional students, classified as one of the seven exceptionalities listed above, should be encouraged to take the regular Statewide Assessment tests if they participate **12 hours or less per week** in an exceptional student education program. If they participate **more than 12 hours per week** in such a program, they should take the regular tests only if a parent or guardian requests that they do so.

Note that a 1983 amendment to State Board Rule 6A-6.331 requires an exceptional student to have an individual educational plan (IEP) currently in effect before the student is eligible for exemption from testing. ("Currently" means less than 12 months old.) Without an active IEP, a student is **NOT** eligible for exemption from testing, or for coding as an exceptional student.

Please be aware that exemption from testing does not mean that a student is exempt from passing the HSCT (formerly SSAT-II) before receiving a Standard Diploma. **Students are NOT eligible for a Standard Diploma unless they pass the HSCT.**

GEORGIA

Georgia Department of Education. (May, 1994). Student assessment handbook. Atlanta, GA. Pp. II-D-1 - II-D-4.

CONSIDERATIONS FOR TESTING HANDICAPPED STUDENTS

Reason for Inclusion of Handicapped Students in the Student Assessment Process

The federal regulation implementing Section 504 of the Rehabilitation Act of 1973 requires that individuals with disabilities be provided equal opportunity to participate in and benefit from all programs and activities of federal financial recipients. The testing program and graduation requirements are integral parts of education programs in Georgia schools and are mandated by QBE and Georgia Board of Education rules; therefore, students with disabilities must be provided the opportunity to participate in these programs.

A disabling condition does not, by its presence, prevent a student from achieving the same competencies as other students. Students with disabilities should participate in statewide testing as often as possible. The results can be useful in program planning and evaluation and students with disabilities should have experience taking tests just as their nondisabled peers. Many students who are disabled are capable of demonstrating the skills required for a regular high school diploma. The decision to exclude certain categories of students with disabilities from the testing program would discriminate against individual disabled students who might otherwise be entitled to a regular high school diploma at graduation. However, the nature or severity of an individual's disability may prevent him/her from participating in the testing program.

Any student with a disability who is enrolled in a special education program and completes requirements specified in his/her IEP is eligible for a special education diploma, even though requirements for a regular high school diploma may not have been met. A special education student who completes all graduation requirements except for passing scores on the Georgia High School Graduation Test is eligible for a certificate of performance, as are non-special education students. If a student's IEP indicates that he/she will complete all regular graduation requirements except for passing the graduation test, the student is eligible for both a certificate of performance and a special education diploma. If all graduation requirements are met, including passing the Georgia High School Graduation Test, a special education student is eligible to receive a regular high school diploma.

Many students with disabilities who participate in the regular school program can be included in the regular administration of the statewide testing program with no modifications. Some students with disabilities may require special considerations or modifications in administration of statewide tests. Such modifications are not restricted only to students with IEPs, but can be made for any student who receives instructional accommodations. Approved modifications are discussed in detail beginning on page II-D-6 and are presented in table form in Appendix A. Only students who have been identified as having disabilities according to the State Board of Education Rules can be considered for these special adaptations unless those modifications (i.e., reasonable extended testing time) have also been designated for the entire student population. Students with disabilities should be coded on the test answer sheets. Test scores from students appropriately coded will not be included in the school and system summary data. Specific instructions as to procedures for coding these students are included in the Examiner's Manual and other materials which accompany the tests.

Individualized Education Program (IEP) Annual Review

Decisions related to the participation of an individual student with disabilities in the statewide testing program and the recommendation of any modifications in administration should be made during the IEP annual review which precedes the test administration. Such decisions may be revised at any time. This should be done early enough to permit adequate preparation and to allow sufficient time to order materials from the Division of Research, Evaluation and Assessment, Georgia Department of Education. The IEP committee is also responsible for establishing promotion criteria for students with disabilities. The student and parent(s) or legal guardian(s) should be included at this meeting. All efforts to involve parents/guardians should be documented.

The teacher plays an important role in making decisions regarding the testing of students with disabilities. Usually the teacher(s) of students with disabilities can estimate each student's progress in achieving skills and competencies. If it is decided that the student may be able to successfully participate in testing and meaningful results obtained, he/she should be tested. If there is any possibility the student will attempt to meet graduation requirements in the future, that student should participate in the testing program whenever feasible. If the committee members believe that the student should not take a particular test, the parent(s)/guardian(s) and student should be told in writing that it is the right of the student to take the test, but it may be more appropriate for the student not to participate in the testing program at that time. It is extremely important that the parent(s)/guardian(s) and student understand that in the case of the Georgia High School Graduation Test such an exclusion would make the student ineligible for a regular diploma. However, the student may be eligible to receive a certificate of performance and/or a special education diploma. The requirements for a regular diploma, certificate of performance, and special education diploma should be discussed with the student and parent(s)/guardian(s). The parent(s)/guardian(s) and student should also be informed that the decision to exclude a student from testing will be reviewed during subsequent IEP committee meetings.

The IEP committee is also responsible for determining whether a student should have any modifications in testing procedures. All relevant modifications should be reviewed by the committee to determine those appropriate for a particular student's needs. For more information on approved modifications see the section beginning on page II-D-6. Suggested modifications by disability are included in table form in Appendix A. The committee can identify which combination of modifications is needed for an individual, though certain restrictions apply to the writing test (see page II-D-10). It should be remembered that any modifications selected for a particular student should be consistent with adaptations or accommodations used in the student's instructional program, and are intended to facilitate the student's performance without destroying the integrity of the tests.

Recommendations of the IEP committee regarding test administration, including designation of modifications if any, should be included in or attached to the IEP report. Appendix A provides a sample form for this purpose. **The recommendation to exclude a student with disabilities must be stated in writing with justification.** When this exclusion involves the Georgia High School Graduation Test, the signature of a parent or legal guardian and/or the student if 18 years old or older, is required and documentation of this decision should become a part of the student's record. It must be explained to all parties that this decision may be reversed for future test administrations.

HAWAII

Hawaii Department of Education. (Spring, 1994). Hawaii statewide student assessment program: Test coordinator's handbook. Honolulu, HI. P. 54.

EXHIBIT E
EXEMPTIONS AND INCLUSIONS
Students With Disabilities

The only students with disabilities who are exempt from taking the *Stanford Achievement Test* are those whose Individualized Education Program (IEP) indicate Full-time Self-Contained (FSC) or *Integrated Self-Contained (ISC)* educational arrangements. These students may take the test if they so desire; their answer folders should be included in the Exempt group.

Students with visual and hearing impairments are tested with specially normed forms of the Stanford Achievement Test. These tests are administered by each district's teachers of the visually and hearing impaired. These teachers will arrange for delivery and return of materials through the Diagnostic Resource Teachers at the Statewide Center for Students with Visual and Hearing Impairments. Results are separately hand-scored and returned to schools.

Hawaii Department of Education. Statewide testing program regulations. P 1.

The principal shall carry out the statewide testing program as prescribed and scheduled, exempting only those students who fall into one or more of three categories:

a. Those who are physically handicapped in such a way that the tests cannot be completed in the manner in which they are administered to other students, or where comparable modifications are not available;

c. Those who have been identified as special education students who are enrolled full-time in special education classes and are working toward a certificate rather than a diploma.

IDAHO

Idaho Department of Education, Special Education Section. (September, 1993). Idaho special education implementation manual. Boise, ID. P. IV-13.

14. Statewide achievement testing.

    If it is the judgment of the CST that the student cannot participate in the statewide achievement testing, this should be noted on the IEP; otherwise, the student will participate in statewide achievement testing.

Idaho Department of Education. (1994). Test coordinator's guide: 1995 Idaho statewide testing program. Boise, ID. Pp. 2, 3, 7-8, 17, 19, 26, 28.

Tests to be used in the norm-referenced testing program are the Iowa Tests of Basic Skills (ITBS), Form K, at grades 4 and 8 and the Tests of Achievement and Proficiency (TAP), Form K, at grade 11.

The Direct Writing Assessment consists of one prompt that students write to for 90 minutes and is required at grades 8 and 11. A new fourth grade Direct Writing Assessment will be offered for the first time this year as optional testing for all fourth graders. This version will require students to write to one prompt for 90 minutes.

STUDENTS TO BE TESTED

The following students should be tested:

1. All public school students enrolled in regular education programs in grades 4, 8, and 11.

2. In ungraded schools, students who are reported to the state on attendance forms as 4th, 8th or 11th grade students or who would be placed in those grades were they to transfer to a graded school.

3. Special needs students in grades 4, 8 and 11 if they are enrolled, for at least *half* instructional day in *academic basic skills* instruction in the test content areas of Reading, Spelling, English, and Mathematics. In addition, it is suggested that the school and parents agree through the child study team process that it is in the best interest of the student. (See the Directions for Administration for suggestions in testing students with special needs.)

TESTING DATES

The ITBS and TAP tests are to be administered between October 3 and October 28, 1994. Answer documents must be received by Riverside Scoring Services by November 4, 1994. Schools are encouraged to test early in each time period to allow for make-up sessions and return of test materials to the District Test Coordinator.

Test answer documents received in Iowa City after the deadline will be processed at District expense. No off-level tests will be scored with the statewide testing program.

STUDENTS WITH SPECIAL NEEDS

Special coding may be selectively used for those students who are not enrolled for at least half of the instructional day in academic basic skills instruction including Reading, Spelling, English, and Mathematics. This code is 9 and should be bubbled in "Office Use: Z on the individual student answer sheet.

Buildings will receive score data on students coded 9. This data will be excluded from all class/building/district averages and will not contain LPR scores that reflect Idaho results.

The sections on the student answer sheet labeled "Chapter 1", "Special Class Reports" Sections "A" and "D" and the "Office Use" sections "W" and "X" may be used by individual buildings or districts. "Special Class Reports" sections "B" and "C" are reserved for Vocational Education coding. More information concerning the use of special class codes may be received by contacting the Riverside Publishers representative for Idaho, Mr. Paul Scott, at 1-800-767-8420 extension 7734. Costs for request for additional information must be paid by the district.

Special Education students in CONTAINED CLASSROOMS may be excluded from testing through consent of the child study team and parent consent. If tested, since these students are most typically not in regular academic basic skills classes for half of their instructional day, they should be coded 9 in "Office Use" section Z.

Special Education students and Resource Room students who are MAINSTREAMED into and enrolled in regular academic basic skills classes for half or more of their school day (do not count elective courses) should be tested and NOT CODED 9 in Z.

E.S.L./L.E.P. students should be tested and NOT CODED 9 in Z if they have been in an English speaking school (not including a bilingual education program) for 2 years or more.

Students who are allowed EXTRA TIME, due to special circumstances, must be coded 9 in Z.

WHEN THERE IS DOUBT, include the student in the testing and **DO NOT CODE** 9 in Z.

DIRECT WRITING ASSESSMENT

The Direct Writing Assessment consists of one prompt that students write to for 90 minutes and is required at grades 8 and 11. A new fourth grade Direct Writing Assessment will be offered for the first time this year as optional testing for all fourth graders. This version will require students to write to one prompt for 90 minutes.

STUDENTS TO BE TESTED

The following students should be tested:

1. All public school students enrolled in regular education programs in grades 4, 8 and 11.

2. In ungraded schools, students who would be placed in those grades if they were to transfer to a graded school.

3. Special needs students in grades 4, 8 and 11 if they are enrolled, for at least half the instructional day in academic basic skills instruction in the test content areas of Reading, Spelling, English and Mathematics. In addition, it is recommended that the school and parents agree through the child study team process that it is in the best interest of the student. (See ITBS/TAP section suggestions in testing students with special needs.)

TESTING DATE

The Direct Writing Assessment is to be conducted statewide on the first Tuesday in February. NO MAKE-UP TESTING IS ALLOWED. Students papers are to be postmarked and sent no later than the first Wednesday following the test date to the State Department of Education, Guidance/Assessment and Evaluation, Direct Writing Assessment, P. O. Box 83720, Boise, Idaho 83720-0027.

STUDENTS WITH SPECIAL NEEDS

Special coding may be selectively used for those students who are not enrolled for at least half of the instructional day in academic basic skills instruction including Reading, Spelling, English and Mathematics. This code is 99 and is indicated by placing a red pen X over the 99 in the small box on the top right hand corner of the student response form. This code should be added after the student has turned in their completed assessment.

Buildings will receive score data on students coded 99. This data will be excluded from all averages and will not be reflected in Idaho results.

Special Education students in CONTAINED CLASSROOMS may be excluded from the assessment through consent of the child study team and parent consent. IF tested, since these students are most typically not in regular academic basic skills classes for half of their instructional day, they should be coded 99.

Special Education students and Resource Room students who are MAINSTREAMED into and enrolled in regular academic basic skills classes for half or more of their school day (do not count elective courses) should be tested and NOT CODED 99. The same is true of E.S.L./L.E.P. students if they have been in an English speaking school (not including a bilingual education program) for 2 years or more.

Students who are allowed EXTRA TIME, due to special circumstances, MUST BE CODED 99.

WHEN THERE IS DOUBT, include the student in the assessment and **DO NOT CODE 99.**

If you have questions about individual students, please call Sally at 334-2113 for help.

PERFORMANCE MATHEMATICS ASSESSMENT

STUDENTS TO BE TESTED

The following students should be tested:

1. All public school students enrolled in regular education programs in grades 4 and 8.

2. In ungraded schools, students who are reported to the state on attendance forms as 4th, and 8th, or who would be placed in those grades if they were to transfer to a graded school.

3. Special needs students in grades 4, and 8 if they are enrolled, for at least half the instructional day in academic basic skills instruction in the test content areas of Reading, Spelling, English and Mathematics. In addition, it is recommend that the school and parents agree through the child study team process that it is in the best interest of the student. (See ITBS/TAP section suggestions in testing students with special needs.)

TESTING DATE

The Performance Mathematics Assessment is to be conducted statewide on the first Wednesday in February. NO MAKE-UP TESTING IS ALLOWED. Students' papers are to be postmarked and sent no later than the first Thursday following the test date to the State Department of Education,

Guidance/Assessment and Evaluation, Performance Mathematics Assessment, P. O. Box 83720, Boise, Idaho 83720-0027.

STUDENTS WITH SPECIAL NEEDS

Special coding may be selectively used for those students who are not enrolled for at least half of the instructional day in academic basic skills instruction including Reading, Spelling, English and Mathematics. This code is 99 and is indicated by placing a red pen X over the 99 in the small box on the top right hand corner of the student response form. This code should be added after the student has turned in their completed assessment.

Buildings will receive score data on students coded 99. This data will be excluded from all averages and will not be reflected in Idaho results.

Special Education students in CONTAINED CLASSROOMS may be excluded from the assessment through consent of the child study team and parent consent. IF tested, since these students are most typically not in regular academic basic skills classes for half of their instructional day, they should be coded 99.

Special Education students and Resource Room students who are MAINSTREAMED into and enrolled in regular academic basic skills classes for half or more of their school day (do not count elective courses) should be tested and NOT CODED 99. The same is true of E.S.L./L.E.P. students if they have been in an English speaking school (not including a bilingual education program) for two years or more.

Students who are allowed EXTRA TIME, due to special circumstances, MUST BE CODED 99.

WHEN THERE IS DOUBT, include the student in the assessment and **DO NOT CODE 99.**

If you have questions about individual students, please call Sally at 334-2113 for help.

ILLINOIS

Illinois State Board of Education. (March, 1994). IGAP Update: Testing students with disabilities. Springfield, IL.

Decisions about IGAP and local assessment for students with disabilities are to be included in the student's IEP for the 1994-95 school year. We have enclosed a general policy to help you as these decisions are made.

TESTING STUDENTS WITH DISABILITIES

DECISIONS ABOUT AND ACCOMMODATIONS FOR STATE AND LOCAL ASSESSMENT

Legislation (P.A. 87-934, HB 1890)

Beginning in 1994-95, or earlier if appropriate, every individualized education program as described in Article 14 shall identify if the State test or components thereof are appropriate for that student. For those pupils for whom the State test or components thereof are not appropriate, the State Board of Education shall develop by April 1, 1993, rules and regulations governing the administration of alternative assessments prescribed within each student's individualized education program which are appropriate to the disability of each student.

For the 1994-95 school year every student with an Individualized Education Program (IEP) shall have stated in their IEP whether all or part of the Illinois Goal Assessment Program (IGAP) tests are appropriate (with or without accommodations). If any or all of the IGAP tests are not appropriate, there are no alternative assessments for IGAP. The student either takes one or more of the IGAP tests or does not.

Regardless of whether the student with an IEP takes all or part of the IGAP tests, the student shall participate in local assessment given to regular education students, then the students shall be administered an alternative local assessment consistent with his or her IEP.

Who Decides?

Those who are most familiar with the student and the assessment procedures will provide the professional judgment to determine whether the standard state and local assessments are appropriate and whether the above criteria can be met when deciding on appropriate accommodations. In consultation with the parents through the IEP process, classroom teachers, special education teachers, and school and district personnel responsible for coordinating assessments at the local level should be able to make an informed and appropriate decision as to whether the assessment procedure will be a valid, reliable, and fair measure of the student's knowledge, ability, and skill in the area tested. All aspects of the assessment process are subject to procedural safeguards.

INDIANA

Indiana Department of Education. (1992). Title 511 Indiana state board of education, article 7, rules 3-16. Indianapolis, IN. Pp. 21-22.

511 IAC 7-6-8 Indiana statewide testing for educational progress (ISTEP)

Sec. 8.

(a) A student identified as disabled under this article is required to participate in the ISTEP program and is subject to remediation, retesting, and retention on the same basis as a nondisabled student participating in ISTEP if:

(1) the disabled student is enrolled in public school; and
(2) as determined by the case conference committee, the disabled student fully participates in mathematics and English or language arts provided by teachers other than special education teachers.

(c) The case conference committee shall determine whether a student should participate in ISTEP when:

(1) a student receives mathematics and English or language arts instruction in the general education classroom; and
(2) receives additional support or instruction from a special education consultant or instructional resource teacher.

(d) If the case conference committee determines a student described in subsection (b) should participate in ISTEP, the case conference committee shall notify the superintendent of the student's school corporation of legal residence that:

(1) the student should participate, but not be subject to remediation or retention;
(2) the student should participate, but needs reasonable adaptation; or
(3) the student should participate and may be considered for alternate summer programming.

(e) The school corporation shall not include the ISTEP scores of students for whom participation is permissive in the school corporation's overall report to the state.

(f) Disputes arising in the case conference committee meeting concerning a student's participation in ISTEP may be appealed through a due process hearing or by filling a complaint in accordance with 511 IAC 7-15-4.

IOWA

Iowa does not have a mandated statewide assessment program.

KANSAS

Poggio, J., Glasnapp, D., Capps L., Sundbye, N., Nielsen, C. & Barry, A. (1993). 1993 Kansas reading and mathematics assessments: Examiner's manual for elementary, middle/junior high and senior high levels. Lawrence, KS: University of Kansas Printing Service. Pp. 24-25.

Guidelines for Testing Exceptional Students

A. Exceptional Students

The test to be administered to students who have been identified as exceptional (i.e., those students with IEPs) is determined based on a judgment and understanding of the student's instructional level. Students in exceptional categories who are instructionally at grade levels 4, 7 or 10 in Mathematics are to be administered an appropriate mathematics test. An appropriate Reading test is administered to an exceptional student when s/he is instructionally at grade levels 3, 7 or 10. Provisions for testing exceptional students follow. Categories of exceptional students include the following:

Exceptional Student Categories: the hearing impaired, specific learning disability, behavior disorder, physically impaired, trainable mental retardation, educable mental retardation, severe multiple disabilities, visually impaired, speech/language impaired, gifted, and limited English proficient.

For students in special education for whom the decision is to test, the Reading test and Mathematics test that the student is to take is to be determined based on the student's **instructional level** in each content area. **Instructional level is NOT the same as the student's performance level (e.g., grade equivalent score) on a standardized achievement test.** The grade equivalent scores on a standardized achievement test must not be used to determine the instructional level of the student. To determine the instructional level of the student in the subject matter, examine the curricular materials used to instruct the student in that content. It is the curriculum materials a student uses that must guide the decision regarding the most appropriate test for the student. If you are uncertain as to the instructional level of the student, consult with the reading and mathematics curriculum specialists in your district.

Determining whom to test is straightforward: regardless of the exceptional student's assigned or designated grade level, if the student has an IEP and if the student is *instructionally* at grades 4, 7 or 10 in mathematics or at grades 3, 7 or 10 in reading, then the student is to be tested. An exceptional student is excluded from testing when the IEP specifically states the student is not to participate in the state assessment.

Note the following for students who are exceptional.

(1) Unlike their regular education peers who are tested when their grade level is 3, 4, 7 or 10, exceptional students eligible for testing must be instructionally at grade 3, 4, 7 or 10 regardless of their assigned grade level. Thus, the sixth grade LD student who is instructionally at Reading curriculum grade level 3 in your district is to be tested with the grade 3 reading test. However, the LD student who is grade 7 but is instructionally placed at grade 5 for Mathematics instruction would not be tested in mathematics. The State Board requirement for testing exceptional category students is driven by instructional level.

(2) Gifted students are to take the grade level test for the grade consistent with their grade level placements. Their performance will be included in building, district and state summaries.

(3) Special large print test booklets are available for the visually impaired.

(4) Separate performance reports will be prepared for students in the special education categories. Except for students identified as Gifted, their scores will not be included when forming the overall building, district and state summaries (pp. 24-25).

KENTUCKY

Kentucky State Department of Education. (February, 1993). Program advisory, Section 2. Frankfort, KY. Pp. 3-9.

Procedures for Considering Student Inclusion

Section 1 -- Inclusion of students in schools classified as A2 through A6 by the Kentucky Department of Education.

Inclusion of students in schools classified as A2 through A6 by the Kentucky Department of Education Accountability baseline and threshold data will be calculated for schools classified as "A1" schools. These are schools that offer a "regular" curriculum to which most students can and should be exposed. A2 - A6 schools are those schools offering programs for special populations only: alternative schools, schools only for students with disabilities, etc. Students attending schools classified as A2 - A6 will be included in the overall accountability program. The Department of Education, local school districts, and the assessment contractor will jointly devise strategies to track these students' scores back to the A1 school that would have served him/her on the 20th day of instruction.

If an "A1" school operates programs for special populations, and students from outside the school's normal service area are being served in the program, then the school may request that assessment results of these students be attributed to the "sending" school. The decision of whether or not to request that assessment results be attributed to the "sending" school must be consistent over a given accountability period. The following special programs apply: vocational-technical, special education, alternative, and gifted.

The Department defines A1 through A6 schools as follows:

A1 District operated general program school or multi-program school

A2 District operated vocational-technical school (totally)—Same as C2 (State operated vocational center) except local management, funding, and staff—Membership counted in other schools

A3 District operated special education school (totally special education)

A4 District operated headstart school (totally headstart)

A5 Alternative school

A6 District operated instructional program in a non-district-operated institution or school

Section 2 -- Inclusion of students with disabilities in the KIRIS Interim Assessment Program

For students with disabilities, each student's admissions and release committee determines on an individual basis how the student will be included in the KIRIS Assessment Program. There are three options for inclusion:

a. The student with disabilities participates fully in all three components (i.e., transitional assessment, performance events, and portfolios) of the assessment program;

b. The student with disabilities participates fully in all three components (i.e., transitional assessment, performance events, and portfolios) of the assessment program with adaptations and modifications including the use of assistive technology devices that are consistent with the instructional strategies specified on the student's individual education program (IEP) or 504 plan and available to the student in the course of his/her instructional process; or

c. The student with disabilities who meets the Criteria for Determining Eligibility for the Alternate Portfolio Assessment (Attachment B) participates in the alternate portfolio assessment program and not the regular transitional, performance events, and portfolio assessments.

If the student is not receiving special education and related services, then the student participates fully in all three components (i.e. transitional assessment, performance events, and portfolios) of the regular assessment program.

The admissions and release committee for each student with disabilities must follow a decision-making process which asks questions about the student when determining how the student will be assessed in grades 4, 8 and 12. Examples of questions are listed below.

Question: Does the student with disabilities meet the criteria in Attachment B: Criteria for Determining Eligibility of Students with Disabilities for the Alternate Portfolio Assessment? These students are generally those who have moderate to severe cognitive disabilities and represent 1-2 percent of the total student population.

If yes, the Admissions and Release Committee may determine that the student is to be assessed using the KIRIS Alternate Portfolio Assessment and not with the regular KIRIS Student Assessment procedures, beginning with the 1992-93 school year.

NOTE: Beginning with the 1992-93 school year, students with legally identified disabilities under the Individuals with Disabilities Education Act or the Rehabilitation Act of 1973 may be considered for inclusion in the KIRIS Alternate Portfolio Assessment. Only those students who meet all criteria for participating in the KIRIS Alternate Portfolio Assessment described in Attachment B will be eligible for participation. The result of the KIRIS Alternate Portfolio Assessment will count in the school building accountability baseline data for the 1994-96 accountability cycle. See attachment B for an example of documentation.

Question: If the student is receiving special education and related services but does not meet the criteria for the Alternate Portfolio Assessment, does the student's IEP or 504 plan and instructional program include adaptations and/or assistive devices as a part of the student's instructional process?

If no, then the student participates fully in all three components (i.e. transitional assessment, performance events, and portfolios) of the assessment program without adaptations or assistive technology devices.

If yes, then the student participates fully in all three components (i.e. transitional assessment, performance events, and portfolios) of the assessment program with adaptations and modifications including the use of assistive technology devices described as specifically designed instruction on a child's Individual Education Program (IEP) or 504 plan. The adaptations and modifications should be made available to the student in the course of his/her instructional process. Adaptations and modifications used in the instructional process are determined by each student's Admissions and Release Committee (ARC) or 504 committee and may be used in all three components of the KIRIS assessment.

NOTE: Each child's Admissions and Release Committee (ARC) or 504 committee shall state in the IEP, 504 plan, or in the conference summary report how the child will participate in the KIRIS Assessment Program: participation with no modifications, participation with modifications, or participation in the Alternate Portfolio Assessment. All students' IEPs, 504 plans, and conference summary reports should be reviewed to determine whether decisions have been made regarding how the student will participate in the KIRIS assessment. For students whose IEPs, 504 plans, or conference summary reports do not describe how the student will participate, ARC and 504 meetings should be held to make this determination. Adaptations, modifications, and the use of any assistive technology devices used in the instructional process should be described.

Adaptations may include changes in administration of the assessment and/or recording student responses that are consistent with the instructional strategies and assistive technology devices and services identified on the student's IEP or 504 plan. Adaptations in the instructional process must be related to the student's disability and specially designed instruction as described on the student's IEP or 504 plan and must be age appropriate. Adaptations shall not inappropriately impact the content being measured. Reading assessments may be read to a student on the premise that the intent of reading is to measure comprehension, only if this is the normal mode through which the student is presented regular print materials and is documented on the student's IEP or 504 folder. Instruction related to reading performance should not be replaced by adaptations. **This is a change in the position outlined in Program Advisory 92-OAAS-004.**

Inclusion of Students with Disabilities Currently Instructed in Non-Graded Programs: Students with disabilities who are in "non-graded" educational programs are to be included in the accountability assessment at the age at which students without disabilities normally progressing through 4th, 8th, and 12th grades. For students receiving special education and related services in "non-graded" special class plans, schools are to use one of the two criteria below for identifying which of those students should participate in the assessment for accountability purposes in grades 4th, 8th, or 12th.

a. A 4th grader is any student who is nine years old as of October 1;

   An 8th grader is any student who is 13 years old as of October 1;

   A 12th grader is any student who is in his/her last anticipated year of school.

b. For students eligible for the Alternate Portfolio Assessment who are assigned to regular classrooms (they spend at least 50% of their school day in regular education classes and activities with their nondisabled peers at a specific grade level), there can be a one year's leeway in the above age assignments. For example, a 10 year old (as of October 1) who is a regular member of a 4th grade class can be a 4th grader for accountability in the Alternate Portfolio Assessment. (For purposes of accountability, 12th grade is still defined as the last anticipated year of school for students in the Alternate Portfolio.)

   Criteria "b" should not result in students participating as 4th and 8th graders for accountability purposes in the Alternate Portfolio Assessment more than one year later than they would under age criteria indicated in "a". Each student must participate once in each of the 4th, 8th, and 12th grade assessments.

Inclusion of Students with Disabilities in the Measure of the Percentages of Students Making Successful Transitions to Adult Life:

Students with disabilities will be held accountable to the same standards for transition to adult life as all other students except for those students who are eligible for participation in the KIRIS Alternate Portfolio Assessment. Students eligible for the Alternate Portfolio Assessment may be considered to have successful transitions to adult life if they;

a. Make a successful transition to adult life as defined for the regular population of students (See Guidelines for Transition to Adult Life issued June 5, 1992); or

b. Are enrolled as a full or part-time student (no less than ten hours per week) at a post secondary vocational school or adult education program preparing students for integrated work; or

c. Are working independently in an integrated setting (i.e., where the majority of workers are not disabled) at least 10 hours per week and/or are participating in supported employment (P.L. 99-506 defines supported employment as competitive work in an integrated work setting with ongoing support services for individuals with severe disabilities). Graduates transitioning to sheltered workshops shall be considered successful if the workshop serves as a postsecondary training setting, preparing the graduate to be successful in an integrated environment.

Section 3 -- Inclusion of Students Whose Primary Language Is Not English

For students whose primary language is not English, school personnel determine on an individual student basis how the student will participate in the KIRIS Assessment Program using a decision-making process based on a set of questions about each individual student.

Question: Does the student have a primary language other than English?
If no, then the student participates fully in all three components (i.e., transitional assessment, performance events, and portfolios) of the regular assessment program.

If yes, has the student been in an English-speaking school for less than two years?

If no, then the student participates fully in all three components (i.e., transitional assessment, performance events, and portfolios) of the regular assessment program.

If yes, then the student participates in the KIRIS Assessment program as specified in the following note.

NOTE: Students whose primary language is not English and who have been in an English-speaking school for less than two years may be exempted one time only from any one or all of the three assessment components (i.e., transitional assessment, performance events, and portfolios). The student may submit a portfolio in a language other than English or may be exempted from the portfolio assessment.

Section 4 -- Inclusion of All Students Receiving Instruction in a Home or Hospital Setting (not private home school) in the KIRIS Transitional and Portfolio Assessment Components

For students receiving instruction in a home or hospital setting (not home schools), school personnel must determine on an individual basis how each student will participate in the KIRIS Assessment Program.

a. The student receiving instruction in a home or hospital setting participates in the transitional assessment and the portfolio assessment; or

b. The student receiving instruction in a home or hospital setting participates in the transitional assessment or the portfolio assessment; or

c. The student receiving instruction in a home or hospital setting is exempted from the transitional assessment and portfolio assessment based on verification by a physician of an illness or injury; and

d. If the student is receiving instruction in a home or hospital setting at the time of administration of the performance event assessment, then the student is exempted from the performance event assessment.

School personnel must use a decision-making process based on a set of questions about each individual student to determine how a student receiving instruction in a home or hospital setting will participate in the KIRIS Assessment Program. The decision must be documented for each student. Questions should include the following.

Question: Is a 4th, 8th, or 12th grade student temporarily being provided instructional services in a home or hospital setting? (This does not apply to home schooling.)

If no, then the student participates fully in all three components (i.e., transitional assessment, performance events, and portfolios) of the regular assessment program.

If yes, the student is exempted from the KIRIS performance events assessment if the student is receiving home or hospital instruction at the time of the administration of the performance event assessment and may be exempted from the KIRIS transitional assessment and/or the KIRIS portfolio assessment under the conditions specified in the following note.

NOTE: A student receiving instruction in a home (homebound) or hospital setting will participate in the KIRIS transitional and portfolio assessment unless a school/district has obtained a signed physician's statement describing the reason(s) for exempting a student from the KIRIS transitional and/or portfolio assessment. The signed statement must be returned with the student's KIRIS assessment answer documents to Advanced Systems in Measurement & Evaluation, Inc.

In addition, for students with disabilities receiving instruction temporarily or long term in a home or hospital setting, the admissions and release committee or 504 committee follows the procedures described in this document under the section "Students with Disabilities" and all federal and state requirements related to due process. Students who are eligible for the Alternate Portfolio Assessment and are receiving instruction in home or hospital settings should participate in the Alternate Portfolio Assessment unless the student has an injury or illness verified by a physician in accordance with the procedures described above, the admissions and release committee and 707 KAR 1:055. The student's admissions and release committee shall review the physician's statement and determine how the student will participate in the Alternate Portfolio Assessment.

Students exempted under the provisions for home and hospital instruction will not be included in the school or district cognitive accountability index.

Summary
All students who do not meet the criteria specified in sections above (students with disabilities, students whose primary language is not English, and students temporarily receiving instruction in a home or hospital setting) must participate fully in the KIRIS Interim Assessment Program.

ATTACHMENT B
CRITERIA FOR DETERMINING ELIGIBILITY OF STUDENTS WITH DISABILITIES FOR THE ALTERNATE PORTFOLIO ASSESSMENT

1. Students with disabilities will enter the Alternate Portfolio Assessment when the student's admissions and release committee has:

   1) Determined and verified on the student's individual education plan (IEP) that the student meets all of the eligibility criteria for the KIRIS Alternate Portfolio Assessment.

2) Documented in writing in the student's record the basis for its decision, using current and longitudinal data (such as including performance data across multiple settings in the areas of academics, communication, cognition, social competence recreation/leisure, domestic community living and vocational skills; behavior observations in multiple settings; adaptive behavior; and continuous assessment of progress on IEP goals and objectives). This will help ensure that the student meets the following criteria:

a) The student's demonstrated cognitive ability and adaptive behavior itself could prevent completing the course of study even with program modifications and adaptations;

and

b) The student's current adaptive behavior requires extensive direct instruction in multiple settings to accomplish the application and transfer of skills necessary for functional application in domestic community living, recreational/leisure, and vocational activities in school, work, home, and community environments;

and

c) The student's inability to complete the course of study may not be the result of excessive or extended absences; it may not be primarily the result of visual or auditory disabilities, specific learning disabilities, emotional-behavioral disabilities, or social, cultural, and economic differences;

and

d) The student is unable to apply or use academic skills at a minimal competency level in natural settings (such as the home, community, or work site) when instructed solely or primarily through school based instruction;

and

e) For eighth and twelfth grade students with disabilities, the student is unable to:

(1) Complete a regular diploma program even with extended school services, schooling, program modifications, and adaptations;

and

(2) Acquire, maintain, generalize skills and demonstrate performance without intensive, frequent, and individualized community-based instruction.

2. No other students will be eligible for the KIRIS Alternate Portfolio Assessment.

LOUISIANA

Louisiana Department of Education, Bureau of Pupil Accountability. (November, 1994). Guidelines for testing. Baton Rouge, LA. P. 9.

SPECIAL POPULATIONS

All special education students whose Individualized Education Programs (IEP) designate that they are in Specially Designed Regular Instructional Programs (SDRI) are to be tested. The decision as to which subject area test to administer to a student was previously made on an individual basis by the IEP committee. These students will be coded as SPECIAL EDUCATION for reporting purposes. Students in this category of special education will receive an individual student report, but their scores will not be aggregated with regular education students.

For the purposes of the LEAP, students identified as gifted/talented, speech impaired, and hospital/homebound will be coded as SPECIAL EDUCATION. The test results of these students will be combined with the test results of regular education students in summary reports.

SPECIAL EDUCATION STUDENTS

The following guidelines should be used to determine which tests are to be administered.

- Student is in a Specially Designed Regular Instructional Program (SDRI).
- Student's IEP reflects that grade-level skills are being addressed.
- Student is 8, 9, 10, or 11 years of age. (Grade 3)
- Student is 10, 11, 12, or 13 years of age. (Grade 5)
- Student is 12, 13, 14, or 15 years of age. (Grade 7)
- Student is 15, 16, 17, 18, 19, 20, or 21 years of age. (Written Composition, English Language Arts, and Mathematics)
- Student is 16, 17, 18, 19, 20, or 21 years of age. (Science and Social Studies)

Test Administration Procedures for Special Education Students

Some exceptions to standard test administration procedures may be made for special education students.

The choice of a Test Administrator for special education students should be made through the IEP process. Paraprofessionals should not serve as Test Administrators.

If the student attends a resource room, two testing options are permissible. The student may either take the test in the regular classroom setting, with test administration by the regular classroom teacher or in the resource room setting, with test administration by the special education teacher. If the special education student is in a self-contained classroom setting, the test may be administered by the special education teacher.

MAINE

Maine Educational Assessment, Department of Education. (1994). Policies and procedures for modifications and exclusion 1994-1995. Augusta, ME. Pp. 1, 2.

The *Policies and Procedures for Modifications and Exclusions*, consistent with those of previous years, are designed to assist schools in productively assessing their exceptional students and any other students who may need some sort of test modification. Chapter 222 of the Education Reform Act of 1984 speaks to the inclusion of these students in this process as the MEA reflects the academic standards for all students: " ...The assessment program shall be adapted to meet the needs of exceptional students as defined in section 7001, subsection 2 or other students as defined under rules of the commissioner." (20-A MRSA Sec. 6202) **It should be noted that all modifications to and exclusions from the assessment be the result of a group decision at the local level.**

Students Enrolled in Ungraded Special Education Programs

For the purposes of the assessment, students enrolled in ungraded special education programs should be tested with the fourth grade if they are 9 years old, with the eighth grade if they are 13, and with the eleventh grade if they are 17.

Exclusion from the Assessment

On occasion, it will be necessary to exclude a student from sections of the assessment or from the assessment as a whole. Since it is clearly the legislation's intent to involve as many students as possible in the assessment, exclusion should be limited to those sections that are inappropriate for the particular student. Exclusion should be chosen only after fully exploring the various types of modifications available. Exclusion is appropriate only if the assessment tool will not yield a valid indication of how a student functions in a given content area. For example, a student who is reading two years below level **should** take the Reading section because the scores will give a fair representation of that student's current level of functioning in that area.

If, after examining all of the possible modifications, the local school decides that the assessment or sections of it would be inappropriate for a given student, that student may be excluded. Some examples of students who might be considered for exclusion are

- Students with severe to profound challenges
- Students who do not speak English
- Students with traumatic brain injuries

Exclusion should be considered as the most extreme modification of the assessment. Since it is clear that the legislation's intent is to include as many students as possible, exclusion should be considered only as the last resort.

Over the first nine years of the MEA, an average of 95% of the students at the tested grade levels completed the total test battery.

The procedures for exclusion are the same as they are for modification, with an addition. The local school will be required to identify each student excluded and the reason for the exclusion on a case-by-case basis on the front page of the student's answer booklet in the section identifying total exclusions.

Accounting of Students with Modifications and Exclusions

As stated previously in this document, all students excluded from the assessment need to be documented and reported to the Department of Education.

This information is collected on the front page of each student's answer booklet under the Special Education section titled Program Participation Information. This information must be completed for each student, handicapped or not.

Every student who is totally excluded from the test must be accounted for with an answer booklet. The test administrator (or other person assigned the task) must complete the name grid and exclusion information for each totally excluded student.

Aggregating Student Scores into School Reports

Scores of all students who are administered the MEA will be aggregated into the school report with the following exceptions:

- A student who is excluded or misses one or more sections of the test battery
- A student enrolled in a Composite or Self-Contained Special Education Program as defined in the Maine Special Education Regulations, Chapter 101.5.5-5.6.

MARYLAND

Maryland State Department of Education. (September, 1994). Guidelines for exemptions, excuses, and accommodations for Maryland statewide assessment programs, for 1994-95 school year. Baltimore, MD. Pp. 8, 11, 15.

This paper summarizes the three statewide assessment programs required by the Maryland State Department of Education and the exemptions, excuses, and accommodations permitted for each program. It supersedes (1) "Maryland Graduation Requirements for Handicapped Students Attending Public Schools", (2) "Project Basic Resource Paper II," and (3) "Guidelines for Exemption and Testing Accommodations for the Maryland School Performance Assessment Program." Exemption and accommodation requirements still in force for each program appear in the reference list at the end of this document.

The three statewide assessment programs are: Maryland Functional Testing Program (MFTP); Comprehensive Tests of Basic Skills, 4th Edition (CTBS/4); and Maryland School Performance Assessment Program (MSPAP). The assessment programs and the exemptions, excuses, and accommodations permitted for those programs are summarized on the following pages; the General Principles on the next page, however, apply to all three programs.

The exemptions, excuses, and accommodations presented are allowable for students with disabilities served under IDEA and Section 504, as well as Limited English Proficient students (LEP), as described for each program.

GENERAL PRINCIPLES

1. All students are to be included to the fullest extent possible in all statewide assessment programs. Accommodations are made to ensure valid assessment of a student's real achievement. Accommodations are designed to assist a student to move from dependence toward independence.

2. **Exemptions** granted in any area must be documented at the school level. All students in each school must be accounted for regardless of any special circumstances. Exempted students are reported but not included in computations in the school's data-base for the *Maryland School Performance Report.*

3. **Excuses** may be granted prior to or during administration of statewide tests for any students who demonstrate, or are expected to demonstrate, inordinate frustration, distress, or disruption of others. Such students are considered to be excused from the test. Students who are excused prior to testing or who begin the tests and are removed (excused) from the testing situation are included in the school's data-base for the *Maryland School Performance Report.*

5. Decisions regarding exemptions and accommodations for student assessments shall be made during the ARD/IEP and 504 meeting. Parents shall be informed in accordance with the normal ARD/IEP procedures.

I. MARYLAND FUNCTIONAL TESTING PROGRAM

B. Exemptions, Excuses, and Accommodations

1. Exemptions

b. Students with Disabilities. Students with disabilities whose IEPs indicate they are not pursuing a Maryland High School Diploma are exempt from the Maryland Functional Testing requirement. The IEPs for such students primarily address alternative (*Independence Mastery Assessment Program [IMAP]*) (e.g., life skills) outcomes. See Appendix B for list of IMAP outcomes. Exemptions must be based on the student's IEP, approved by the committee, and documented in the student's record.

c. Transfer Students. Students who transfer from out-of-state into the Maryland public school the first time during the second semester of their senior year may receive a Maryland high school diploma (See COMAR, supplement 13: 13A.03.02.06(1).

2. Excuses

A student may be excused from an MFTP administration, but still must meet MFTP requirements for graduating from high school.

II. COMPREHENSIVE TESTS OF BASIC SKILLS, 4TH EDITION (CTBS/4)

B. Exemptions, Excuses, and Accommodations

1. Exemptions

b. Students with Disabilities. Students with disabilities may be exempted if their IEP specifically excludes administration of these norm referenced tests. Decisions must be made by the ARD/IEP committee on an individual student-by-student basis. Students with disabilities should be included to the fullest extent possible. Earlier regulations exempting Intensity IV and above students no longer apply. The IEPs for such students primarily address alternative (*Independence Mastery Assessment Program [IMAP]*) (e.g., life skills) outcomes. See Appendix B for list of IMAP outcomes. Exemptions must be based on the student's IEP, approved by the ARD/IEP committee, and documented in the student's record.

2. Excuses

a. For excuses prior to test administration, if the principal and at least one other qualified school staff member or the LAC decide that testing would be severely harmful to a student, the student may be excused. The reason for the excuse must be documented in the student's record. Examples of acceptable reasons for excuses are:

(1) Student has demonstrated by past performance that he/she cannot function in a testing situation.

(2) Student has been evaluated as eligible for special education and is awaiting development of an IEP.

(3) Student has had a recent traumatic experience which has made him/her unable to cope with the testing situation.

b. For excuses during testing (demonstrating extreme frustration, disrupting others, illness, etc.): teacher/test administrator judgment.

III. MARYLAND SCHOOL PERFORMANCE ASSESSMENT PROGRAM

B. Exemptions, Excuses, and Accommodations

1. Exemptions

b. Students with Disabilities. Students with disabilities may be exempted from content areas of the MSPAP (e.g., reading, mathematics) that are not part of their instructional program and in which the Maryland Learning Outcomes are not those students' identified instructional outcomes. The IEPs for such students primarily address alternative (*Independence Mastery Assessment Program [IMAP]*) (e.g., life skills) outcomes. See Appendix B for list of IMAP outcomes. Exemptions must be based on the student's IEP, approved by the ARD/IEP committee, and documented in the student's record.

2. Excuses

a. For excuses prior to test administration, if the principal and at least one other qualified school staff member or the LAC decide that testing would be severely harmful to a student, the student may be excused. The reason for the excuse must be documented in the student's record. Examples of acceptable reasons for excuses are:

(1) Student has demonstrated by past performance that he/she cannot function in a testing situation.

(2) Student has been evaluated as eligible for special education and is awaiting development of an IEP.

(3) Student has had a recent traumatic experience which has made him/her unable to cope with the testing situation.

b. For excuses during testing (demonstrating extreme frustration, disrupting others, illness, etc.): teacher judgment.

SUMMARY OF EXEMPTIONS, EXCUSES, AND ACCOMMODATIONS IN MARYLAND STATEWIDE TESTING PROGRAMS

1. *EXEMPTIONS

Program	Who may be exempted?	How?
MFTP	Limited English Proficient Students (once)	Language proficiency assessment documented in student's record

	Non-diploma-seeking students with disabilities	ARD decision documented in student's record
	Second semester senior year transfer students (into Maryland)	Documentation in student's record
CTBS/4	Limited English Proficient students	Language proficiency assessment documented in student's record
	Some students with disabilities	ARD decision documented in student's record
MSPAP	Limited English Proficient Students	Language proficiency assessment documented in student's record
	Some students with disabilities	ARD decision documented in student's record

2. **EXCUSES

Program	Who may be excused?	How?
MFTP	Not Applicable	
CTBS/4	Students excused for humanitarian reasons	Principal/staff decision documented in student's record
MSPAP	Students excused for humanitarian reasons	Principal/staff decision documented in student's record

Validation

ACCOMMODATIONS MUST NOT INVALIDATE THE ASSESSMENT FOR WHICH THEY ARE GRANTED

* Exempted students are reported but not included in computations in the school's data-base for the Maryland School Performance Report on any of the statewide assessment programs.

** Excused students are included in computations in the school's data-base for the Maryland School Performance Report on all the statewide assessment programs.

*** Accommodated students are included in computations in the school's data-base for the Maryland School Performance Report on all of the statewide assessment programs.

Second semester transfer students (from out-of-state or nonpublic schools) who take the MSPAP are not included in the school's data-base for the *Maryland School Performance Report.*

MASSACHUSETTS

The regulations are under development to meet new requirements for statewide testing. They were not available at the time this document was printed.

MICHIGAN

Michigan Department of Education. (February, 1992). Procedures for local school districts in implementing the state endorsed diploma. Lansing, MI. Pp. 7-8.

PROCEDURES FOR IMPLEMENTATION OF THE STATE ENDORSED DIPLOMA REQUIREMENTS FOR STUDENTS WITH DISABILITIES

EXEMPTION FROM PROFICIENCY TESTING FOR SPECIAL EDUCATION STUDENTS

It is the role of the IEPC to determine if an exemption from the general proficiency testing is warranted and if it is so determined, what assessment criteria will be used as the basis for awarding a state endorsed diploma. Any assessment for determining a state endorsement must measure areas in which the student has received instruction.

To determine if a student should be exempted, the IEPC must consider the following:

- The student's unique needs and career/life goals;
- The alignment of the curriculum to the skills, attitudes, and knowledge required by those unique needs and career/life goals;
- The effectiveness of the assessment procedures to measure student proficiency in the skills, attitudes, and knowledge taught in the curriculum.

If it is determined that the assessment requirements of Section 104a are not effective options to measure student proficiency in the skills, attitudes, and knowledge appropriate to his/her unique needs, career/life goals, and related instruction, the IEPC may exempt the student from all or part of those requirements. No other group or individual may determine an exemption from the requirements of Section 104a.

However, this exemption does not prohibit a student from participating in the general proficiency testing, if the parent (or student of majority age) so chooses.

ALTERNATE MEANS TO CERTIFY PROFICIENCY FOR SPECIAL EDUCATION STUDENTS

If the IEPC exempts a student receiving special education or related services from all or part of general proficiency testing, the IEPC must:

- Recommend alternative assessment procedures to certify the student's proficiency;
- Determine assessment criteria for that student to receive a state endorsed diploma; and
- Assure that these criteria are consistent with local district graduation requirements.

It is the role of the IEPC to designate the alternate assessment procedures that will provide multiple validations of student proficiency. It is not necessary to complete all the assessment procedures during any given year. Rather, the student may complete the variety of assessments at differing times throughout his/her educational career. These procedures and standards must be appropriate to the individual student (OCR, 1980).

A state endorsed diploma shall be awarded only to those students:

- Who have completed LEA graduation requirements;
- Whose proficiency has been certified either through the general proficiency testing or through alternate assessment procedures; and
- Whose IEPC members have determined that the student has received all appropriate benefit from special education and related services as may be contemplated under state law and consequently are no longer appropriate.

From "Michigan Educational Assessment Program (MEAP) Assessment Administration Manual" P. 6

A student may be excluded from taking the MEAP tests only in three very specific instances:

1. The student has been found eligible for special education through an IEP, receives special education services prior to the first day of testing, and receives 49% or less of her/his reading/English instruction per week through general education instruction. This may include students in all special education categories who are too physically, mentally, or emotionally impaired to manage a testing situation.

   Note: Mathematics and other content area instruction are **not** considered in this exclusion criteria.

3. The student's parent/guardian request that their child be excused from MEAP testing. Following the initial request, the parent/guardian should complete the following three-step procedure:

   a. Make and keep an appointment to review the test in question at the school. The review may include reading the test in whole or in part. However, the reviewer will not be permitted to:

      - Remove the test from the school,
      - Reproduce the test (in whole or in part), or
      - Copy any of the test questions.

   b. If, upon completion of the review, the request is withdrawn, a record should be kept by the school for documentation and the case closed....

   c. The form must be completed and forwarded to the school principal to document the objection and request....

School Coordinators are responsible for completing an Excluded Students Report for each grade level tested in the school. Each student who is purposefully excluded (non-English speaking or special education) from MEAP testing; and each student who is eligible for testing, but not tested because of parent/guardian request, student refusal, absent, or other reasons must be reported on the Excluded Students Report.

1990 large print and 1989 Braille editions of the reading, mathematics and science tests are available from the Library of Michigan Services for the Blind and Physically Handicapped. If these testing materials are needed, they should be ordered before September 17.

MINNESOTA

Minnesota does not have a state assessment program. Samples of students are tested in seven curriculum areas in four-year cycles.

MISSISSIPPI

Mississippi Department of Education, Office of Student Assessment. (August, 1994). Mississippi assessment system exclusions and accommodations. Jackson, MS. Pp. 1-2, 3, 6-7.

Revised August 1994

MISSISSIPPI ASSESSMENT SYSTEM EXCLUSIONS AND ACCOMMODATIONS

Mississippi code 37-16-3 requires that every pupil enrolled in a public school participate in the Mississippi Assessment System and that the school district superintendent certify annually that all eligible pupils enrolled in the designated grade were tested. However, some exclusions are allowed and certain accommodations may be provided in accordance with Mississippi Code 37-16-9.

PART 1: EXCLUSIONS

Under certain conditions exclusions are allowed for some Special Education and 504 students and some Limited English Proficiency (LEP) students. Two types of exclusions are allowed. A type 1 Exclusion is for eligible students who do not take the test. A Type 2 Exclusion is for eligible students who take the test, but whose scores are not included in the summary statistics for the district and the state.

Special Education and 504 Students

Special Education students are students who have been evaluated and ruled eligible for one of the specific disabilities listed below according to federal guidelines:

ED	Educationally Disabled	HI	Hearing Impaired
EMR	Educable Mentally Retarded	L/S	Language/Speech
TMR	Trainable Mentally Retarded	MD	Multi-*Disabled*
SPR	Severely Profoundly Retarded	PD	Physically *Disabled*
SLD	Specific Learning Disabled	DD	*Developmentally* Delayed
VI	Visually Impaired	AU	Autism
TBI	Traumatic Brain Injury	EmD	Emotionally *Disabled*
DB	Deaf Blind		

Certain Special Education students must participate in the Mississippi Assessment System. The following Special Education students may not be excluded from taking the tests:

(1) Those students who are working toward and plan to receive a regular high school diploma and who can take the test without accommodations or with only allowable accommodations.

(2) Those students who are enrolled in three or more *regular education academic classes** such as reading, language arts, mathematics, science, social studies, vocational courses, and foreign languages, and who can take the test without *accommodations or with allowable accommodations*.

**Within this context, enrollment in 3 or more regular education academic classes implies that no alternate or parallel curriculum has been developed and implemented for the student which is different from any other child in that classroom. Additionally, the grade given in the class is based strictly on regular education academic curriculum requirements (even with modifications).*

***Special Note:** In a co-teaching environment, with regular education and special education teachers, if special education students are expected to master the same objectives as their peers, and receive their grades from regular education due to the expectations of their participation in such classes, they should be considered enrolled in "regular education academic classes" even though they may receive alternative instructional services or modifications.*

Type 1 Exclusion (Student Does Not Take Tests)

Special Education of 504 students may be excluded from taking the test when the IEP (Individual Educational Plan) Committee/504 Committee determines that:

(1) A secondary level Special Education student is not working toward a regular high school diploma; or

(2) The special education student is not enrolled in three or more regular education academic classes such as reading, language arts, mathematics, science, social studies, vocational courses, and foreign languages; or

(3) *The allowable accommodations for a particular test are insufficient or inappropriate for the special education or 504 student's needs. In other words, if a student cannot adhere to the standardization procedures of the test because the allowable accommodations are procedures of the test because the allowable accommodations are insufficient for that student, then the student would not be tested. Any accommodation must be consistent with what is typically provided in the student's instructional setting.*

The appropriateness of an allowable accommodation can be determined by comparing it with accommodations currently described in the IEP or 504 Accommodation Plan, which is provided to meet Free Appropriate Public Education (including Least Restrictive Environment) requirements.

The chart on page 9 illustrates the decision process for determining participation of a Special Education student in statewide testing. If a Special Education *or 504* student is excluded from testing based on the above criteria, a statement must be included on the student's IEP or *504 Accommodation Plan or be on file in the local district.* See the sample documentation on page 10. The Functional Literacy Examination (FLE) is required for graduation. **If the exclusion is for the FLE, the signature of the student 18 years old or older is required to be on file in the local district.** Documentation of the decision shall become part of the student's record. It will be explained to all parties that the decision may be reversed for future graduation plans.

Type 2 Exclusion (Student Takes Test - Scores are Excluded)

Any Special Education, 504, or LEP student who wishes to participate in the Mississippi Assessment System has the right to do so. When a student has met the criteria for exclusion from taking the test but elects to take the test anyway, the scores will be excluded from the summary statistics. The student's answer document must be appropriately coded to exclude the student's scores.

Student scores may be excluded only when the student meets the criteria for exemption OR the student requires a non-allowable accommodation (i.e. has been tested under nonstandard conditions). In addition, individual student scores from nonstandard test administrations are not comparable to scores for students who took the test under standardized conditions. Thus, test norms are not applicable and should not be used to describe or evaluate such students' achievements.

PART 3: PETITION FOR SPECIAL CONSIDERATION

In some very rare instances, a student with a disability may require special consideration for exemption and/or accommodation not provided for in these guidelines. In such cases, a petition for special consideration may be made to the Office of Student Assessment by the District Superintendent. Such a petition must clearly state the reason that special consideration is necessary. In addition, the request must include adequate supporting information and documentation. *This type of request must be submitted to the Office of Student Assessment well in advance of testing dates to allow for appropriate review.*

MISSOURI

Missouri Department of Elementary and Secondary Education. (1991). Missouri mastery and achievement tests: Examiner's manual and directions, grades 2-10. Jefferson City, MO. Pp. 6-7.

Exemptions and Special Test Administrations and Scoring

Special Education Students: Methods for evaluating the progress of a special education student should be described in the student's Individualized Education Program (IEP). When appropriate, the IEP should include a specific statement regarding the student's participation in group standardized testing. The Department of Elementary and Secondary Education has made the following provisions for using the MMAT with special education students:

1. *Exemptions:* If the student's IEP states that the student should not participate in group standardized testing, or specifically, should not take the MMAT, that student should be exempted from testing.

2. *Modified Administrations*: If the student's IEP describes the need for altered administration procedures for group standardized testing, that student should be tested in accordance with the guidelines given in the IEP. Students for whom administration procedures are modified must be identified in the appropriate place on the answer sheet (number 1 in the "Teacher Questions" section). Scores for these students will not be included in building or district averages.

3. *Conventional Administrations*: If the student's IEP indicates that standard group test administration is appropriate or makes no mention of standardized group testing, then that student should take the MMAT with the other students at his or her grade level in the standardized manner described in this *Manual.* The student should *not* be identified as a special education student on the answer sheet, and the student's scores will be included in building and district averages.

Record of Student Exemptions: Because each school district is responsible for ensuring that its students are tested in accordance with the Excellence in Education Act, careful records should be kept specifying which students were exempted from taking the MMAT and the reasons why they were not tested. Representatives from the Department of Elementary and Secondary Education may ask to review this list during visits to the district.

MONTANA

Montana State Department of Education. (May, 1988). From "ASSESSMENT: Sub-Chapter 1, General Information, 10.56.101 STUDENT ASSESSMENT."

(6) Full-time special education students shall not be required to participate in the norm-referenced testing program. Those students receiving only special education instruction in any of those tested academic areas shall not be required to participate in that section of the test for which they receive exclusive special education instruction.

NEBRASKA

Nebraska does not have a statewide assessment. It does require all school districts to provide norm-referenced testing at least once in grades 4 through 6, once in grades 7 through 9, and once in grades 10 through 12.

NEVADA

Nevada Department of Education. (1993-94). Information for the conduct of the Nevada proficiency examination program. Appendix D. Carson City, NV. P. D-1.

Testing Exceptional Students

Exceptional students are those identified and receiving services through any of the variety of programs designated as special education, guided by an Individual Education Program (IEP) and students with disabilities who qualify for special services under Section 504 of the Rehabilitation Act of 1973. Nothing contained herein should be understood as suggesting that a student should not have the opportunity to take the tests required by the Nevada Proficiency Examination Program. For students in special education programs, that decision is the sole responsibility of the student's IEP committee. However, each IEP **must** address the question of the student's participation in the Nevada Proficiency Examination Program, and any accommodations in test administration that are made **must** be indicated in the IEP. For students with disabilities who qualify for special services under Section 504 of the Rehabilitation Act of 1973, the decision is the responsibility of the individual or individuals who determine what rehabilitative services students require.

The participation of exceptional students in the proficiency examination program at grades 4, 8, and 9 is determined by the testing conditions under which the Comprehensive Test of Basic Skills (CTBS/4) was standardized. Exceptional students who receive instruction in English and/or mathematics in regular classrooms and can be tested under the standardized conditions used with regular students, without accommodations that would disrupt others taking the test, should be tested with their classmates and their results included with those in the regular program when the answer sheets are submitted for scoring. Exceptional students who are not included in this category **must** have their exemption from participation in the Nevada Proficiency Examination Program clearly stated in their IEP or explicitly granted by the appropriate authority. One or more parts of the CTBS/4 may be administered to students in this latter group for diagnostic purposes, but their answer sheets should be scored separately and their results not included in school and district summaries in the reports submitted to the Proficiency Testing Office.

It is the LEA's responsibility to provide adequate notice of test requirements to allow students and/or parents to make an informed choice regarding the scope and content of their educational program.

NEW HAMPSHIRE

New Hampshire State Department of Education. (1994). New Hampshire educational improvement and assessment program: Guidelines for modifications and exclusions. Concord, NH.

It is the intent of the State of New Hampshire that virtually all students shall participate in the statewide educational improvement and assessment program. The State Board of Education has adopted the following set of procedures as guidelines for local schools to follow in assessing their educationally disabled students and any other students who may need some sort of test modifications. Therefore, these procedures should be used for the May 1995 administration of the New Hampshire Educational Improvement and Assessment Program (NHEIAP). All students excluded from the assessment shall be documented and reported to Advanced Systems. The Department of Education will monitor districts' exclusion rates. Although the procedures for approving modifications for identified educationally disabled students and other students are much the same, this document addresses them separately. **Any modifications to and exclusions from the assessment shall be the result of a group decision made at the local level.**

Exclusion from the Assessment

On rare occasions, it may be necessary to exclude a student from parts of the assessment or from the assessment as a whole. Since it is the intent of the State of New Hampshire to involve virtually all students in the assessment, exclusions shall be limited to those parts that are inappropriate for the particular student. Exclusion shall be chosen only after fully exploring the various types of modifications available. Exclusion shall be appropriate only if the assessment tool will not yield a valid indication of how a student functions in a given content area.

In order to determine if exclusion from the assessment, in whole or in part, is appropriate, local schools shall follow the procedures outlined in this document. If, after examining all of the possible modifications, the local school team decides that the assessment, or parts of it, are inappropriate for a given student that student may be excluded.

Exclusion shall be regarded as the most extreme modification of the assessment. Since it is the State's intent to include as many students as possible in the assessment, exclusion shall only be considered as the last resort.

All students excluded from the assessment shall be documented and reported to Advanced Systems. The Department of Education will monitor districts' exclusion rates.

Aggregating Student Scores for School and District Reports

Scores for all students who participate in the New Hampshire Educational Improvement and Assessment Program will be aggregated into school and district reports. In these reports, the percentage of students at each proficiency level will be based on the number of students enrolled in the grade being assessed, rather than the number of students participating in the assessment. The number and percentage of students excluded from the assessment will also be reported.

NEW JERSEY

New Jersey State Department of Education. (1990). Special education high school graduation requirements. Trenton, NJ. Pp. 1-3.

The New Jersey Administrative Code addressing high school graduation requirements for special education pupils is contained in:

N.J.A.C. 6:28-3.6 and 4.8, Special Education
N.J.A.C. 6:8-7.1, Thorough and Efficient System of Free Public Schools

These regulations provide that:

1. In order to receive a state-endorsed high school diploma, educationally handicapped pupils must meet all state and local high school graduation requirements including passing the High School Proficiency Test (HSPT) and demonstrating mastery of the curriculum proficiencies unless exempted in their individualized education programs (IEPs) with the written approval of the chief school administrator.

   Code Citation: N.J.A.C. 6:28-4.8 (a)

   "An educationally handicapped pupil who entered a high school program in September 1981 or thereafter shall meet the high school graduation requirements according to N.J.A.C. 6:8-7, unless exempted in his or her individualized education program with the written approval of the chief school administrator. The individualized education program must specifically address these graduation requirements. The individualized education program shall specify which requirements would qualify the educationally handicapped pupil for a State endorsed diploma issued by the school district responsible for his or her education.

   Code Citation: N.J.A.C. 6:28-7.1 (b) 6

   "An educationally handicapped pupil must meet all State and local high school graduation requirements in order to receive a State endorsed high school diploma, pursuant to the provisions established under N.J.A.C. 6:28-1.1 et seq . . ."

2. Local boards of education must adopt policies and procedures for exempting educationally handicapped pupils from the high school graduation requirements and annually report the number of pupils graduated under special education.

   Code Citation: N.J.A.C. 6:8-7.1 (a) 4 and 6:28-1.4 (a) 1

   "District boards of education shall adopt policies and procedures for:

   The exemption of handicapped pupils from the high school graduation requirements, pursuant to N.J.A.C. 6:28-3.6 and 4.8, 6:39-1.7, and 6:8-7.1 (b) 6."

Code Citation: N.J.A.C. 6:8-7.1 (f)

"Review and reporting rules include the following:

1. Annually, not later than September 30, the chief school administrator shall report at a public meeting to the district board of education and the Commissioner of Education the number of pupils graduated and the number of pupils denied graduation from the prior twelfth grade class based on the provision of this chapter. The chief school administrator shall include in the annual report the number of pupils graduated under the special education and special review assessment procedures noted in this subsection;"

The criteria for determining exemptions from the curriculum proficiencies and the HSPT shall be that the pupil's IEP does not include the proficiencies measured by the test. The criteria used for determining exemptions from the HSPT shall be that the pupil would be adversely affected by taking the test.

Code Citation: N.J.A.C. 6:28-4.8 (b)

"An educationally handicapped pupil shall be exempted from the High School Proficiency Test and demonstration of mastery of the curriculum proficiencies if it can be demonstrated that his or her individualized education program has not included the range of proficiencies measured by High School Proficiency Test and curriculum proficiencies or if the pupil would be adversely affected by taking the High School Proficiency Test . . ."

4. The IEP must state a rationale for the exemption(s) from state and local graduation requirements and reasons why the goals and objectives do not include the proficiencies.

Code Citation: N.J.A.C. 6:28-3.6 (e) 5 iv, v

"The basic plan of the individualized education program shall include, but not be limited to:

A description of exemptions from regular education program options including testing programs and State and local graduation requirements which includes a rationale for the exemptions;

Reasons why the individualized education program goals and objectives do not include the proficiencies measured by the High School Proficiency Test and the requirement to demonstrate mastery of curriculum proficiencies for pupils exempted from these requirements;"

5. Alternate proficiencies shall be included as replacements when the pupil is exempted from the state and local high school proficiencies. The IEP shall include a statement of alternate proficiencies that must be achieved to qualify for the standard state-endorsed high school diploma.

Code Citation: N.J.A.C. 6:28-3.6 (e) 5 vi

"The basic plan of the individualized education program shall include, but not be limited to:

A statement of the alternate requirement for each exemption from State and local high school graduation requirements. The individualized education program shall identify which alternate requirements must be achieved by the educationally handicapped pupil to qualify for the State endorsed diploma issued by the school district;"

6. Educationally handicapped pupils who have not been exempted from the proficiencies and who have not passed the HSPT shall participate in the Special Review Assessment (SRA) process.

Code Citation: N.J.A.C. 6:8-7.1 (b) 6 i

"A handicapped pupil who has not been exempted from the proficiencies or has performed below the State minimum levels of pupil proficiency on one or more areas of the State-mandated High School Proficiency Test shall participate in the Special Review Assessment."

NEW MEXICO

New Mexico State Department of Education. (September, 1993). Statewide student assessment requirement: Information for the classroom today and other school personnel. Santa Fe, NM. Pp. 4-5.

DOES EVERYONE HAVE TO TEST?

The statewide assessment program is designed to assist educators in making appropriate decisions about their classrooms. It is not designed to penalize students. Legislated Public School Code, State Board Regulations, and Department of Education Standards all work together to provide the best possible circumstances for the assessment program. There are circumstances for each component that are to be specially considered for the individual child. Students who cannot perform on a standardized test because of time limitations, reading difficulties, attention disorders, and other such reasons may take the ITBS under nonstandardized conditions during a special administration of the test. The decision to test a student in this way should be the result of agreement by the teacher(s), the counselor and the principal. Prudence should be used when making recommendations and decisions for a student to test in a nonstandardized setting because the percentile score is not valid for the special administration. Special education students are no longer separated out as a separate report group. However, their IEPs are to be followed when considering the statewide required tests. They can be exempt, waived, or receive modifications, based on the special needs as indicated in the IEP. Students who are non- proficient in English, but proficient in another language (as formally assessed by the school district's language assessment instrument) may be exempt from the required statewide assessment program requirements. Again, any special arrangements will need to be carefully considered by educators in the district, especially for the High School Competency Examination.

Students can receive an exemption, modification or waiver of the NMHSCE based on enrollment (and specification on Individual Education Plans <IEPs>) in special education programs as well as bilingual programs approved by the Superintendent of Public Instruction.

State Director of Assessment and Evaluation. (July, 1994). Memorandum to district superintendents and test coordinators. Santa Fe, NM. Pp. 1, 3-4.

July 14, 1994

MEMORANDUM

TO: DISTRICT SUPERINTENDENTS AND TEST COORDINATORS

In order to assist you with questions and concerns that arise each year concerning the NMHSCE, a graduation requirement, the Assessment and Evaluation Unit has prepared the narrative below to help you

during the 1994-95 school year. Please do not hesitate to contact Jim Travelstead in our Unit at 827-6524 if you have questions or concerns about any of these categories.

EXEMPTIONS

Requests for "exemptions" to the mandated requirement of taking the NMHSCE apply to students currently receiving special services. The Individualized Education Program (I.E.P.) team "shall make recommendations regarding participation or exemption from participation in the New Mexico High School Competency Examination (NMHSCE)"...(ESNMS A.4.3.1.k.) as follows:

1. If the I.E.P. team recommends exemption and a "certificate of completion" is issued, no further action involving the State Superintendent of Public Instruction is required.

2. If the I.E.P. team recommends exemption for the NMHSCE and recommends that a high school diploma be issued, the local superintendent must make a request to the State Superintendent of Public Instruction that a diploma be issued to the student who is exempt from the NMHSCE. The request must be sent no later than sixty days prior to the anticipated date of graduation and contain the following information:

   (a) Student name or student I.D. number;

   (b) Support for the recommendation from the local school board; and

   (c) A statement indicating that the request is based upon the student's "completion of a planned course of study based on I.E.P. objectives in lieu of required criteria for New Mexico high school diplomas" (ESNMS A.4.3.1.1.)

NOTE: For additional information on exemptions, please contact your consultant in the Special Education Unit at (505) 827-6541.

NEW YORK

New York State Department of Education. (November, 1990). Commissioner's regulations. Albany, NY.

Students with handicapping conditions. (1) Each student with a handicapping condition, as such term is defined in section 200.1 (cc) of this Title, shall have access to the full range of programs and services set forth in this Part to the extent that such programs and services are appropriate to such student's special educational needs. (2) Instructional techniques and materials used by schools shall be modified to the extent appropriate to provide the opportunity for students with handicapping conditions to meet diploma requirements. At each annual review of a student's individualized education program, the committee on special education shall consider the appropriateness of such modifications.

NORTH CAROLINA

State of North Carolina. (1993). Testing modifications for students with disabilities: North Carolina testing programs. Raleigh, NC. Pp. 4-5.

B. General Exemption and Modification Information

- The minimum participation rate for End-of-Grade and End-of-Course Tests as it relates to state accountability programs (e.g., Report Card, State Accreditation) has been set at 95.0 percent. (Refer to the descriptions of the End-of-Grade Test in Section C and the End-of-Course Tests in Section E for additional information;)

- **Students who are not following the *Standard Course of Study* must be assigned high school state course codes different from those assigned to courses that do follow the *Standard Course of Study*.** Careful consideration must be given to the assignment of these codes and of students to courses. For example, biology is a course that is required for graduation with a high school diploma beginning with the ninth grade class of 1992-93. Students not following the *Standard Course of Study*, as indicated in the fifth digit of the state course code, should not be given credit for the standard biology course, and thus would neither have the required biology credit nor be required to take the End-of-Course Tests;

- **In cases where students are exempt from testing, a special assessment shall be administered annually or as part of an on-going IEP assessment.** One alternative is an individual standardized test such as the *Brigance*. Another alternative is a portfolio-based assessment that focuses on measuring progress on the goals listed on the IEP. Reports should be made to parents at the end of the year concerning the age/grade level performance of students. (Refer to Section G of this document.) It is important that the student and family understand that an alternative assessment does not replace any requirements for receiving a diploma;

- **Use of the audio-cassette modification for the Competency Tests should be rare. A maximum of one percent of the school system's first month Average Daily Membership (ADM) for the ninth grade has been set as the operational definition of "rare" for this modification.** This is to assure the appropriateness of the use of this modification. If a school system exceeds the one percent, a letter of request and required documentation, including all students' IEPs or Written Accommodation Plans which request this modification, should be mailed to the Special Student Coordinator. The request and documentation will be reviewed by the Department of Public Instruction's Division of Testing Services and the Exceptional Children Support Team. (Refer to Section H for the description of the audio-cassette modification and appropriate IEP documentation; refer to Appendix IV for the Special Student Coordinator's address.) It is important to submit all of the required documentation at the time the request is made;

- **The grade level of testing should be determined by the instructional level of each student.** For example, a student who has been retained should be tested at the grade placement level. Also, each student in a nongraded program should be tested on the instructional level of the individual student. **However, each student in a non-graded program should be administered all state tests at the same grade level within the same school year.** For example, a thirteen-year-old student with impaired hearing in a non-graded program may test on the fifth-grade level (i.e., student's instructional level) for **all** End-of-Grade Tests within the same school year. On the other hand, the same student **may not test** in sixth-grade reading

comprehension, third-grade open-ended, and fourth-grade writing essay portions of the End-of-Grade Tests during one year of school. All completed tests must be scored and included with the other tests at the appropriate grade level;

- **Due to the number of modifications allowed, students may <u>not</u> be exempted from an open-ended portion of a test and tested with the multiple-choice section or vice versa.** Also, students may **not** be exempted from one subject test and be tested on the others. For example, a student may **not** be tested in math and exempted from reading and may **not** be tested in social studies and exempted from science. If a student's disability impacts his or her performance to the extent that the student should be exempted from one part of a test, it is best to exempt the student from the entire test and administer a special assessment;

- **Depending on the individual's disability, a student <u>may</u> receive a modification for only one section of a test.** For example, a student with a learning disability who qualifies for special services in one area, such as math, may require scheduled extended time on the mathematics section of a test but take the reading and other subject area components under standard conditions.

NORTH DAKOTA

North Dakota Department of Public Instruction. (1994). Test coordinator's manual. Special populations information form. Bismarck, ND. P. 1.

These guidelines apply only to students who have an Individual Educational Plan (IEP) other than gifted.

Students who have an Individual Educational Plan (IEP) will follow their IEP as to whether or not to take the CTBS/4 and the TCS. We encourage as many students as possible to take the tests.

If a student's IEP does not address norm-referenced standardized achievement and ability tests, then the following guidelines will apply:

1. If the student is mainstreamed in 50% or more of the core courses being tested, the student should be tested. The student's test results are to be included in class, grade, district, and state averages.

2. If the student is mainstreamed in less than 50% of the core courses, the student may or may not be tested depending on the student's IEP. If the student is tested, the student's test results are not to be included in class, grade, district, and state averages.

3. If a student who has an IEP does not take all sections of the test, or if the student takes the test under other than standard testing procedures, the student's test results should not be included in the class, grade, district, and state averages.

4. If your school has a question on the guidelines, please contact either Mr. Gaylynn Becker or Dr. David L. Lee at the Department of Public Instruction at (701) 328-2755 or (701) 328-2269.

OHIO

Ohio Department of Education. (1990). Ohio's state-wide testing program: Achievement and ability testing. Columbus, OH. P. 2.

Who may be exempted from taking the tests?

Students identified as having a handicapping condition may be exempted from taking the tests. Not later than September 1, 1990, each school district shall adopt a policy and establish procedures regarding the participation of students with handicapping conditions. Exemptions will be considered on an individual student basis.

May students who were exempted take some of the tests?

Any handicapped student who was exempted may be given one or more of the tests, but the student's test results will be excluded from the district and building reports.

Who may be granted a waiver?

The State Superintendent of Public Instruction may grant a waiver for good cause to an individual as a result of a written appeal by the district superintendent. These letters must be submitted no later than May 10 of each school year, and must identify the student by name, grade level, and building, and provide the reason for the waiver request. Among the "causes" that may be considered are certification that a medical condition prevented the student from taking the test and certification that the student is limited English proficient.

The rules do not provide for waivers for students who took the tests, but were judged not to have done their best work. Other than for students who did not take all required parts of the tests, do not exclude the papers of any student for any reason (e.g., the student appeared to be marking answers at random, to be excessively nervous, not to be addressing the task seriously). Score and include the papers of all students who took all the tests regardless of their attitudes during the testing period(s).

Ohio Department of Education. (May, 1990). Ohio's statewide testing program: Rules for high school proficiency testing. Columbus, OH. P. 4.

Who will take the ninth-grade proficiency tests?

In November 1990 and every year thereafter, all ninth-grade students must take the tests, except an individual who is exempted because of a handicapping condition.

In March 1991, all ninth-grade students who have not yet met the proficiency standards in all four tests, or have been exempted because of a handicapping condition, will retake the tests not passed. At the same time, all students in grades ten through twelve will take the ninth-grade proficiency tests. However, their scores will not affect the status of their diplomas if they graduate on or before June 30, 1993. Anyone who graduates after the thirtieth of June that year is required to retake any test not yet passed.

Ninth-grade proficiency tests will also be administered to any individual who, on or after July 1, 1993, is scheduled to receive a diploma from an adult high school continuation program or a Diploma of Adult

Education issued in accordance with Section 3313.611 of the Revised Code. The tests will also be administered to any individual who presents a Certificate of Attendance issued in accordance with Section 3313.61 of the Revised Code.

OKLAHOMA

Oklahoma Department of Education. (March, 1994). Rules and regulations of the Oklahoma school testing program. Oklahoma City, OK. P. 1.

210:10-13-2. Oklahoma school testing program scope and general administration.

(a) Beginning in the 1989-1990 school year, all public school districts shall administer the achievement test battery to all students at grades 3, 5, 7, 9, and 11, and the writing assessment instrument to all students in grades 7 and 10. Beginning with the 1994-95 school year, all public school districts shall administer the norm-referenced achievement test battery to all students in grades 3 and 7, and the criterion-referenced achievement test battery to all students in grades 3 and 7, and the criterion-referenced tests to all students in grades 5, 8, and 11, according to the field test/implementation schedule mandated in Title 70 O.S. 1991, Section 1210.508. Exemptions of students from administration of these tests shall be limited to the following provisions:

(1) A student whose education is subject to the provisions of an Individualized Education Program (IEP) pursuant to Public Law 101-476, as amended, shall be tested pursuant to the provisions of the Oklahoma School Testing Program Act, 70 O.S. Supp. 1989 § 1210.505 et. seq. only to the extent specified by the student's IEP. Appropriate statements(s) indicated by the student's parents on the IEP SDE Form 7 shall be utilized as the directive for administering the Oklahoma School Testing Program (OSTP) tests to the student. This documentation must exist on the IEP before exempting any such student. All documentation for each student exempted shall be on file in the local school before tests are administered.

(3) If a student approved for test exemption [according to these provisions] is administered the test(s), this student's answer documents shall be returned for scoring with those documents of other students tested, and score reports shall be returned to the school.

(b) On an annual basis, school superintendents or their designees shall provide a copy of the State Board of Education Regulations, OAC 210.10-13, for all school personnel responsible for receipt, inventory, distribution, or return of test documents, and/or for administration of tests within the Oklahoma School Testing Program.

OREGON

Oregon Department of Education. (1993). Oregon statewide assessment: Administration manual. Salem, OR. Pp. 2-3.

WHO SHOULD BE TESTED

The purpose of the Oregon Statewide Assessment Program is to determine the level of performance of students on the Essential Learning Skills (ELSs) and the Common Curriculum Goals (CCGs). This assessment is to be administered to all 3rd, 5th, 8th and 11th grade students. Since the test results are likely to be used to review the effectiveness of curricular programs, it is very important to have all schools and districts making very similar decisions for exempting students from participation in the Oregon Statewide Assessment Program. When there is doubt as to whether the student may be exempted, the student should be tested; however, the student may need modifications of the testing procedures.

All students are expected to participate unless the student has been exempted for a specific reason. Students who participate in the assessment program under modified conditions or who are exempted from the testing will have a special code marked on their answer sheet; more information about that coding follows. An answer for all students (including absent and exempted students) must be submitted with the appropriate demographic information indicated.

Special Education Students

Federal regulations under the Rehabilitation Act of 1973, Section 504, require that handicapped individuals be given equal opportunity to participate in and benefit from any program or activity customarily granted to all individuals. Therefore, all handicapped students should be considered eligible for inclusion in the Oregon Statewide Assessment Program, unless they are individually exempted based on the characteristics of their instructional program. Each student must be considered individually and not on the basis of the category of handicap.

Special education students enrolled in regular education (mainstream classes) are typically exposed to the Essential Learning Skills (ELS)/Common Curriculum Goals (CCG) program and, therefore, should participate in the assessment program under standard conditions in the regular education (mainstream) classes. In addition, some additional special education students may be able to participate in this assessment program under modified conditions (see Modifications of Testing Procedures on the next page). Individuals who participate in the Oregon Statewide Assessment Program under modified testing conditions will have their tests scored and returned to the district but these scores will not be included in the school's averages, etc.

The assessment program focuses on the ELSs and CCGs. Special education students, whether in a mainstream or a self-contained classroom, should be exempted from testing when their instructional program does not include at least 50 percent of the ELSs and CCGs at the grade level they are assigned. This applies to each test and should be decided by those teachers responsible for the development of the student's IEP and other professional staff.

The following issues should be considered when making a decision to exempt a student from participation in the Oregon Statewide Assessment Program under standard conditions or to modify the testing procedures:

- The student's experience and IEP do not and never have included the Essential Learning Skills and Common Curriculum Goals (e.g., the student's IEP emphasizes life skills);

- The student is enrolled in special education classes for the specific subject matter included in the test and the student's IEP does not include a majority of the ELS/CCG goals included in the test;
- The student's handicapping condition necessitates significantly more time to complete the tasks of the test than is available under standard conditions;
- Psychomotor difficulties prevent the student from using an answer sheet;
- Visual and/or auditory processing deficits prevent the student from taking the test under standard conditions; or
- The presence of emotional disturbance (anxiety, depression, etc.) prevents the student from taking the test under standard conditions.

PENNSYLVANIA

Commonwealth of Pennsylvania Department of Education. (November, 1994). Draft 1995 assessment guidelines. Harrisburg, PA. Pp. 1-2.

Students excused from the assessment must have an answer document completed by school personnel with their name and the reason for excusal coded. *If more than one reason is applicable, mark all that apply. Students withdrawn from the assessment may be coded as:*

1. AT PARENTAL REQUEST: In accordance with Chapter 5 of the State Board of Education regulations, any student may be excused from the assessment by parental request. School district policy should be in place requiring the parent to submit a written request to the school principal prior to the first assessment date. Parents should be given the opportunity to see the assessment forms so that their request is an informed one. (A sample parental flyer is provided in Appendix A.) If the parent requests excusal of the student code the student name on the answer document mark the circle by "at parental request" and provide an alternative learning environment for the student during the assessment period.

2. DUE TO IEP STATUS: Students with IEPs may be excused from the assessment when requested by the IEP team for such reasons as emotional stress caused by the assessment process, or lack of environmental awareness on the part of the student. It is generally agreed that students in Life Skills Classes would not have had the opportunity to learn what is being assessed, thus this assessment would be an inappropriate activity for them and they should be excused from the assessment. Code the student name on the answer document, mark the circle by "Due to IEP status" and provide an alternative learning environment for the student during the assessment period.

4. EXTENDED ABSENCE: Since parents are to be provided their child's scores on the reading and mathematics assessments, a valid attempt to include all non-excused students in make-up sessions(s) should be made. Students who become ill during the assessment should not be forced to continue; they should be allowed to continue in a make-up session at a later date. If the student is absent from school for an extended period which extends beyond the assessment window, i.e., the date they must be returned to the Contractor, code the student name on the answer document and mark the circle by "Extended absence."

5. WITHDRAWN FROM SCHOOL: If a student withdraws from school during the assessment period, code the student name on the answer document and mark the circle by "Withdrawn from school."

6. OTHER REASON(S): Although there is no other apparent reason for student excusal from the assessment, this code is provided for the rare exception. If you feel you have such a case, code the student name on the answer document, mark the circle by "Other reason(s)" and note the reason.

RHODE ISLAND

Special Education Office, Rhode Island Department of Education. Letter dated January 4, 1993. Subject: revision to guidelines on inclusion of special education students in the state assessment program. Providence, RI.

In order to further a philosophy of high expectations and inclusiveness, the Department of Education is revising its exemption policy for state testing to encourage a high level of participation in assessment activities. Please review your testing exemptions practices in terms of the recommendations contained in this memo. This change in policy would begin with the Spring, 1993 State Assessment Program (SAP).

As you know, existing guidelines of the State Assessment Program for the testing of special education students are already fairly inclusive. Only students in special education service for at least 50 percent of the school day have been given a blanket exemption from testing (although optional testing is allowed). Except for a very limited number of special cases, all students "mainstreamed" for at least 50 percent of the day were expected to participate fully in state assessment activities.

In effect, the revision in the guidelines expands upon this policy by encouraging greater participation of students who have historically been categorized as being in a "self-contained" placement. The guiding principle will be to encourage participation of students previously exempted from state testing. This change will help to maintain high levels of expectation for all students.

As IEPs are revised each year, they should consciously address the suitability of state assessment activities for each student. Although maximum testing is to be encouraged, it should not contradict the consensus of judgment reflected in the IEP. As before, it is expected that students mainstreamed for at least 50 percent of the day will be tested with rare exceptions. For students in more intensive service, an addendum to the IEP may be needed if the current IEP does not provide specific guidance on participation in standardized assessments.

On the scannable test answer sheets, a code will indicate whether a student has an IEP and whether the service level is greater than or less than 50 percent of the school day. Previously, only students with greater than a 50 percent service level (tested at local option) were identified in coding. Coding of both populations will allow for additional analysis of data; however the policy for reporting school and districts summary scores will continue. As in the past, only students with less than 50 percent special education service will be included in an average scores for schools and districts.

Rhode Island Department of Education. February 26, 1993. Testing and Special Coding for LEP and Special Education Students. Providence, RI.

The enclosed two letters define the testing exemption policy of the State Assessment Program for Spring 1993 testing. The policy applies to the Writing Assessment (grades 3 and 6), the Metropolitan Achievement Test (grades 4, 8 and 10) and the Health Knowledge Assessment (grades 3, 6, 8 and 10). Please review carefully the LEP policy, in particular, because it is a significant change from the policy of prior years.

This year, teachers or office staff will need to code the LEP or special education status of students on the various answer sheets used for the State Assessment Program. Please devise the best way for this to be done in your school. Specifically, the following distinctions need to be made:

(1) Special Education Status

Students who are tested must be coded as either

*less than 50 percent of the day in special education services, or
*50 percent or more of the day in special education services

In addition, a third code will be used for LEP students who have between two and three years of instruction in the U.S., but are nevertheless given a one-time waiver. Answer sheets must be returned for these students even though they receive the special one-time waiver.

For some students, a check of records may be required to classify them properly. Correct coding, however, is important because it will influence the way building summary scores are calculated. Please prepare for this coding so that answer sheets can be returned in a timely manner.

SOUTH CAROLINA

South Carolina Department of Education. (Spring 1994). Basic skills assessment program: Test administrator's manual-grade 3. Columbia, SC. Pp. A-3 - A-4.

INTRODUCTION

This appendix provides District Test Coordinators (DTCs), district special education consultants, School Test Coordinators (STC's), and test administrators with procedures for administering the Basic Skills Assessment Program (BSAP) tests to students with disabilities in Grade 3. The procedures are based on the "Administrative Guidelines and Procedures for Testing Handicapped Students," as amended by the State Board of Education, and are **intended to supplement** rather than replace the information provided in the BSAP *Test Coordinator's Manual (TCM) and this Test Administrator's Manual (TAM).*

Anyone administering any modified test form should become familiar with this appendix which explains general administration and return procedures for testing students with disabilities.

Note: These procedures apply only to the BSAP tests and **not** to the South Carolina Norm-Referenced Testing Program.

IDENTIFYING STUDENTS

Decisions regarding the testing of students with disabilities under either the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act must be made on an individual basis.

IDEA requires that an Individualized Education Program (IEP) be in effect for each disabled student receiving special education and related services. **The student must be tested unless the IEP specifically states that testing is inappropriate.**

A disabled student who is classified as 504 may not require special education but may need accommodations for their disabilities. These students, therefore, may not have an IEP but should have a 504 Accommodations Plan. Testing modifications should be made available to students classified as 504, as well as to students identified under IDEA. The accommodations offered to students with disabilities must be specified in their IEPs or 504 Accommodations Plans.

Testing Students With Special Circumstances

- If a student has an IEP or 504 Accommodations Plan but is sick and homebound during the testing and make-up weeks, the district must test the student if the student is physically and/or mentally able to take the test. If the student is not physically and/or mentally able to take the test, the Department recommends that the district make a note in the student's IEP or 504 Accommodations Plan and have the parents sign a statement to that effect.

- A student who has been suspended and has an IEP or 504 Accommodations Plan is to be treated like a suspended student without an IEP or 504 Accommodations Plan. The Department strongly recommends that these suspended students be tested because of the number of educational decisions which are made on the basis of test scores. The district could delay the suspension dates, bring the student into the school during the suspension for testing purposes only, or test the student in an alternate location.

- When a student with an IEP or 504 Accommodations Plan has been expelled, a new IEP or 504 Accommodations Plan must be written which outlines the services that will be provided during the expulsion period. The student must be tested unless this new IEP or 504 Accommodations Plan specifically states that testing is inappropriate.

IDENTIFYING AND TRAINING TEST ADMINISTRATORS

It may be necessary to have a certified employee other than the student's regular teacher administer the test. The decision as to who will administer the test should be made jointly by someone knowledgeable about the individual student's needs (e.g., the student's special education teacher or the district special education consultant) and someone familiar with testing procedures and requirements (e.g., the School or District Test Coordinator or the school principal).

If the test administrator is not the student's teacher, the administrator should meet with the student's special education teacher prior to testing week. In this way, the administrator can become familiar with the student's special needs and receive help in planning appropriate modifications to the administration procedures.

Test administrators must attend a regular training session as specified in the *TCM* and *TAM*.

USE OF MONITORS

The requirements regarding monitors, as specified in the *TCM* and *TAM*, also apply to the testing of students with disabilities.

South Carolina Department of Education. (Spring, 1994.) Basic skills assessment program: Test Administrator's manual-grade 6 & 8. Columbia, SC. Pp. A-4 - A-5.

INTRODUCTION

This appendix provides District Test Coordinators (DTCs), district special education consultants, School Test Coordinators (STC's), and test administrators with procedures for administering the Basic Skills Assessment Program (BSAP) tests to students with disabilities in Grades 6 and 8. The procedures are based on the "Administrative Guidelines and Procedures for Testing Handicapped Students" as amended by the State Board of Education, and are intended to supplement rather than replace the information provided in the BSAP *Test Coordinator's Manual (TCM) and this Test Administrator's Manual (TAM).*

Anyone administering any modified materials should become familiar with Section 1 of this appendix which explains general procedures for testing students with disabilities. Specific modified versions are discussed in Section 2 and the return procedures are in Section 3.

Note: These procedures apply only to the BSAP tests and **not** to the South Carolina Norm-Referenced Testing Program.

IDENTIFYING STUDENTS

Decisions regarding the testing of students with disabilities under either the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act must be made on an individual basis.

IDEA requires that an Individualized Education Program (IEP) be in effect for each disabled student receiving special education and related services. **The student must be tested unless the IEP specifically states that testing is inappropriate.**

A disabled student who is classified as 504 may not require special education but may need accommodations for their disabilities. These students, therefore, may not have an IEP but should have a 504 Accommodations Plan. Testing modifications should be made available to students classified as 504, as well as to students identified under IDEA. The accommodations offered to students with disabilities must be specified in their IEEEs or 504 Accommodations Plans.

Testing Students With Special Circumstances

- If a student has IEP or 504 Accommodations Plan but is sick and homebound during the testing and make-up weeks, the district must test the student if the student is physically and/or mentally able to take the test. If the student is not physically and/or mentally able to take the test, the Department recommends that the district make a note in the student's IEP or 504 Accommodations Plan and have the parents sign a statement to that effect.

- A student who has been suspended and has an IEP or 504 Accommodations Plan is to be treated like a suspended student without an IEP or 504 Accommodations Plan. The Department strongly recommends that these suspended students be tested because of the number of educational decisions which are made on the basis of test scores. The district could delay the suspension dates, bring the student into the school during the suspension for testing purposes only, or test the student in an alternate location.

- When a student with an IEP or 504 Accommodations Plan has been expelled, a new IEP or 504 Accommodations Plan must be written which outlines the services which will be provided during the expulsion period. The student must be tested unless this new IEP or 504 Accommodations Plan specifically states that testing is inappropriate.

IDENTIFYING AND TRAINING TEST ADMINISTRATORS

It may be necessary to have a certified employee other than the student's regular teacher administer the test. The decision as to who will administer the test should be made jointly by someone knowledgeable about the individual student's needs (e.g., the student's special education teacher or the district special education consultant) and someone familiar with testing procedures and requirements (e.g., the School or District Test Coordinator of the school principal).

If the test administrator is not the student's teacher, the administrator should meet with the student's special education teacher prior to testing week. In this way, the administrator can become familiar with the student's special needs and receive help in planning appropriate modifications to the administration procedures.

Test administrators must attend a regular training session as specified in the *TCM* and *TAM*. It is essential for test administrators to be familiar with the scripts to be used during the Oral Administration of Grade 8 Reading. Test administrators may review the scripts the week prior to testing in a supervised session (e.g., the training session). The scripts must be returned at the end of the session.

USE OF MONITORS

The requirements regarding monitors, as specified in the *TCM* and *TAMs*, also apply to the testing of students with disabilities.

South Carolina Department of Education. (Spring, 1994). Basic skills assessment program: Test administrator's manual: Exit examination. Columbia, SC. Pp. A-4 - A-5.

INTRODUCTION

This appendix provides District Test Coordinators (DTCs), district special education consultants, School Test Coordinators (STC's), and test administrators with procedures for administering the Basic Skills Assessment Program (BSAP) tests to students with disabilities at the Exit Examination level. The procedures are based on the "Administrative Guidelines and Procedures for Testing Handicapped Students," as amended by the State Board of Education, and are **intended to supplement** rather than replace the information provided in the BSAP *Test Coordinator's Manual (TCM)* and this *Test Administrator's Manual (TAM)*.

Anyone administering any modified materials should become familiar with Section 1 of this appendix which explains general procedures for testing students with disabilities. Specific modified versions are discussed in Section 2, Special Accommodations and Alternative Scoring of Writing are discussed in Section 3, and the return procedures are in Section 4.

Note: These procedures apply only to the BSAP tests and Not to the South Carolina Norm-Referenced Testing Program.

IDENTIFYING STUDENTS

Decisions regarding the testing of students with disabilities under either the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act must be made on an individual basis.

IDEA requires that an Individualized Education Program (IEP) be in effect for each disabled student receiving special education and related services. **The student must be tested unless the IEP specifically states that the testing is inappropriate.**

Disabled students who are classified as 504 may not require special education but may need accommodations for their disabilities. These students, therefore, may not have IEPs but should have a 504 Accommodations Plan. Testing modifications should be made available to students classified as 504, as well as to students identified under IDEA. The accommodations offered to students with disabilities must be specified in their IEPs or 504 Accommodations Plans.

Testing Students With Special Circumstances

- If a student has an IEP or 504 Accommodations Plan but is sick and homebound during the testing and make-up weeks, the district must test the student if the student is physically and/or mentally able to take the test. If the student is not physically an/or mentally able to take the test, the Department recommends that the district make a note in the student's IEP or 504 Accommodations Plan and have the parents sign a statement to that effect.

- A student who has been suspended and has an IEP or 504 Accommodations Plan is to be treated like a suspended student without an IEP or 504 Accommodations Plan. The Department strongly recommends that these suspended students be tested because of the number of educational decisions which are made on the basis of test scores. The district could delay the suspension dates, bring the student into the school during the suspension for testing purposes only, or test the student in an alternate location.

- When a student with an IEP or 504 Accommodations Plan has been expelled a new IEP or 504 Accommodations Plan must be written which outlines the services which will be provided during the expulsion period. The student must be tested unless this new IEP or 504 Accommodations Plan specifically states that testing is inappropriate.

- Students in adult education centers with disabilities who are 21 years of age or younger and do not have a diploma fall under the provisions of IDEA, and an IEP should be developed. The IEP will state any modifications which are to be used. Students who are older than 21

years must provide proof that they are disabled. They can provide documentation that they were served in high school under IDEA or Section 504 or that they are currently disabled under Section 504. Students who are older than 21 shall be served under Section 504. IDEA does not apply to persons older than 21.

IDENTIFYING AND TRAINING TEST ADMINISTRATORS

It may be necessary to have a certified employee other than the student's regular teacher administer the test. The decision as to who will administer the test should be made jointly by someone knowledgeable about the individual student's needs (e.g., the student's special education teacher or the district special education consultant) and someone familiar with testing procedures and requirements (e.g., the School or District Test Coordinator or the school principal).

If the test administrator is not the student's teacher, the administrator should meet with the student's special education teacher prior to testing week. In this way, the administrator can become familiar with the student's special needs and receive help in planning appropriate modifications to the administration procedures.

Test administrators must attend a regular training session as specified in the *TCM* and *TAM*. It is essential for test administrators to be familiar with the scripts to be used during any Oral and Signed Administrations. Test administrators may review the scripts the week prior to testing in a supervised session (e.g., the training session). The scripts must be returned at the end of the session.

USE OF MONITORS

The requirements regarding monitors, as specified in the *TCM* and *TAM*, also apply to the testing of students with disabilities. At the Exit level, a monitor is required to be present during all test administrations, including individual administrations.

SOUTH DAKOTA

South Dakota Department of Education. (January, 1994). Test preparation guidelines for the South Dakota assessment. Pierre, SD. P. 18.

EXEMPT STUDENTS

It is most desirable that the same student population that was included in the national SAT-8/MAT-7 norming sample in 1988 be included in the administration of the SAT/MAT-7 this spring in South Dakota.

The only students in grades 4, 8, and 11 that are exempt from testing in South Dakota are:

a) Those students who, on an individual basis, are determined by local school officials to be unable to test under prescribed standardized group testing conditions as outlined in the Directions for Administering. This exemption rule applies particularly to special education students. Prescribed standardized group testing conditions include:

- a natural classroom atmosphere,
- timed sittings,
- mechanics of marking answer documents,
- verbal instructions in a group setting,
- passages and questions that must be read to oneself in some subtests, and
- verbal passages and questions that must be listened to in some subtests.

Decisions about the nature and extent of participation of students who cannot test under the conditions listed above should be made at the district level on an individual basis. These decisions should not be made unilaterally. Special education staff, regular classroom teachers, and building administrators should be involved in this decision-making process.

When students are exempted from the tests on an individual basis, the school testing coordinator should notify the parents in writing about the exemption and list the exempted student (a) by name and grade and specify the reason(s) for not administering the test. This data should be maintained in district files along with annual testing data.

If there are any questions regarding the exemption of a student, please contact Gary Skoglund, South Dakota Division of Education at (605) 773-4699.

TENNESSEE

State Testing and Evaluation Center. (January, 1995). Memorandum: Special education inclusion & testing accommodations. Knoxville, TN.

Attached you will find the newest statement of testing accommodations allowed with the testing program mandated by the Tennessee Department of Education. This program includes the Tennessee Comprehensive Assessment Program (TCAP) Achievement Test, mandated in grades 2-8 and 10, and the TCAP Competency Test, which is first administered in grade 9 and is a requirement for graduation with a regular high school diploma. The TCAP/CT replaces the Tennessee Proficiency Test (TPT) and will be administered for the first time next month. The attached document was developed by the State Testing and Evaluation Center for the Department of Education and was first presented in November at the 1994 Tennessee Testing Conference in Nashville.

As was the case with the TPT, the TCAP/CT will be administered three times a year and students will have an unlimited number of opportunities to pass the test. No student may be exempted from the TCAP/CT requirement. If a special education student does not pass or decides not to attempt the test, he/she receives a Diploma of Specialized Education upon completion of all other graduation requirements.

Testing Special Education Students
Questions and Answers

TCAP

1. Why should a Special Education student be tested using the TCAP Achievement Test?

For a large percentage of Special Education students, useful information can be obtained from both the norm referenced and criterion referenced portions of the TCAP Achievement Test. For an even larger percentage, the norm referenced portion can provide useful information not possible with alternative testing. The Special Education teachers, students, and parents are shown how the tested student compares with other students at his/her grade level nationwide. This is especially important for those students who are or potentially will be mainstreamed.

2. When is exclusion appropriate?

Exclusion from testing would be appropriate for the following two reasons:

(a) The student is not capable of completing the test

(b) The scores would not be valid (Example: severe visual handicap prohibits adherence to time limits using large print)

3. Who makes the testing decision?

The M-Team makes the testing decision. A well staffed, well organized M-Team will also determine which allowable modification(s) may be appropriate.

4. What about alternative testing?

Alternative testing is appropriate for the student excluded from mandated testing. The results, however, should not be compared with TCAP Achievement Test results.

5. Are there any new reporting procedures affecting Special Education?

a) **Median Percentile Summary Reporting.** The median percentile is less influenced by extreme scores and gives a more easily interpreted impression of central tendency.

b) **Percentage of Special Education Students Not Tested by System and School.** These reports will be utilized by the State Special Education Department for monitoring. They will also be reported in statewide summaries provided for the media and public.

6. Is there any way to exclude Special Education students from the TCAP summaries?

No. The TCAP summary information includes every student tested. However, it is possible for all Special Education results to be reported on one **class summary** in a school, even if the regular classroom teacher administers the test.

TEXAS

Texas State Board of Education. (May, 1993). Texas Regulations 3040. Austin, TX, P. 14.

§ 89.223. Content of the Individual Educational Plan (IEP).

(a) The individual educational plan developed by the admission, review, and dismissal committee for each student shall include the following additional information:

(4) The IEP shall specify the following:

(A) Amount of time to be spent in each setting;

(B) Position responsible for each special education related service to be provided;

(C) Modifications necessary for the student to be successful in the regular program, if any;

(D) Criteria and schedule for evaluating the progress of the student which also allow for determining the student's eligibility for participation in extracurricular activities; and

(E) A statement addressing nonexemption, modification, or exemption from some or all of the basic skills assessment instruments, as appropriate. Modifications of regular classroom procedures which are provided for students by the local district, as specified in the student's IEP, shall be provided during the testing process in accordance with §101.3 of this title (relating to Testing Appropriate Students);

(5) Signatures of the committee members present and an indication of each member's agreement or disagreement with the decision of the committee.

§ 21.555. Exemption

(a) Any student who has a physical or mental impairment or a learning disability that prevents the student from mastering the competencies which the basic skill assessment instruments are designed to measure may be exempted from the requirements of this subchapter.

(b) The State Board of Education shall adopt rules under which a district may determine if a student is eligible for an exemption under this section. The Central Education Agency shall closely monitor compliance with those rules.

(c) The board shall adopt rules under which a dyslexic student who is not exempt under this section may utilize procedures including, but not limited to, oral examinations where appropriate and the time and the materials or technology necessary for the student to demonstrate the student's mastery of the competencies the assessment instruments are designed to measure.

UTAH

Utah State Office of Education. (May, 1994). The Utah statewide testing program. Salt Lake City, UT. P. 3.

QUESTION: **Will all students in grades 5, 8, and 11 be tested?**

ANSWER: It is the intent of the program to test virtually all students. Specific criteria for excluding specific students from testing will be published. Basically, students who would be excluded would be those with very limited English proficiency or students who have an IEP and are mainstreamed less than 50 percent of the time and are incapable of participating meaningfully in the testing. Specific forms will be provided to document reasons for excluding any student from the testing.

From "Criteria for Excluding Students from the Statewide Testing Program" P 1.

Any student who is capable of participating in the testing program should definitely be included in the test administration procedure.

Some of the students in your school may be formally classified as having Limited English Proficiency (L.E.P.) or may be functioning under an Individual Education Plan (I.E.P.). It is possible that some fraction of these students may be incapable of participating meaningfully in the testing program. The principal, in consultation with staff who are knowledgeable about the LEP/IEP students, may exclude such students for one or more of the criteria specified below:

Criterion 2: A student for whom a formal Individual Education Plan (IEP) has been prepared may be excluded from testing if the student is mainstreamed less than 50% of the time in academic subjects and is judged incapable of participating meaningfully in the assessment.

Criterion 3: The school principal in consultation with staff has determined that, due to an extremely unusual circumstance, a specific student is incapable of participating meaningfully in the testing program.

When there is doubt, the student should be included in the testing program.

VERMONT

Vermont Department of Education. (1994). 1994 Vermont uniform assessment teacher's administration manual: Grades 4 & 8. Montpellier, VT. Pp. 2-3.

STUDENTS TO BE ASSESSED

All public school students have the right to participate in the Vermont Assessment Program. Students may NOT be excluded if such exclusion is contrary to their desire to participate or their parents'/guardians' desire that they participate. Within each school participating in the Vermont Assessment Program, every student who is in a grade level being assessed (4 and 8) and who does not meet the criteria for Students Eligible for Exclusion from the Uniform Assessment (see below) is to participate in the Uniform Assessment. Every student's portfolio is eligible for selection as part of the statewide portfolio sample.

Students who are repeating a grade in which they were tested last year should be included in the assessment again this year.

Portfolio Participation

Because portfolio activities occur as part of regular classroom instruction, all students are expected to have a portfolio that includes examples of their learning activities. Every student portfolio is eligible for selection as part of the statewide portfolio sample. For more detailed information, see the section, "Submitting Materials for Statewide Portfolio Scoring," on page 14.

Students Eligible for Exclusion from the Uniform Assessment

A student who meets any of the following established criteria is eligible to be excluded from the Uniform Assessment.

Special Education Students. The student has been found eligible for Special Education Services through an IEP, and the student's IEP Committee has judged the student to be too physically, mentally, or emotionally impaired to manage a testing situation.

Limited English Proficiency Students. The student has limited proficiency in English.

1. The student is: a) a Limited English Proficiency student from a traditionally non-English speaking country; and b) has been enrolled in a school in the United States for less than two years.

2. An exclusion may also be granted to a student who cannot read and comprehend written English. This determination rests with the professional discretion and judgment of local staff based on appropriate language acquisition assessment results.

Note: Students who are excluded from the Uniform Assessment must be accounted for on the Student Participation Report.

Questions about Student Participation

If you have any questions regarding the participation of individual students, contact your SAC.

VIRGINIA

Commonwealth of Virginia Department of Education. (November, 1993). Guidelines for testing students with disabilities in the literacy testing program. Richmond, VA. Pp. 1- 13-14.

REASON FOR INCLUSION OF STUDENTS WITH DISABILITIES IN LITERACY TESTING PROGRAM

Federal regulations under the Section 504 of the Rehabilitation Act of 1973, and state regulations under the Virginians with Disabilities Act, Section 51.5-40 et. seq. of the Code of Virginia, require that individuals with disabilities be given equal opportunity to participate in and benefit from the policies and procedures customarily granted to all individuals.

A disability, by virtue of its presence and effect upon a student, does not preclude the possibility that a student can achieve the competencies required for a Literacy Passport. To exclude students with disabilities form the literacy testing requirements would discriminate against those who would be entitled to the benefits of obtaining a Literacy Passport and a standard or advanced diploma at graduation.

Therefore, students with disabilities must have the opportunity to participate in the Literacy Testing Program (LTP) which includes the pre-LTP tests if administered by the school division. For each student identified under Individuals with Disabilities Education Act, (IDEA) 20 U.S.C. §1400 et.seq., the Individual Educational Program (IEP) committee has the responsibility to determine whether he/she will participate in the LTP and which, if any, accommodations are required. If a student is identified as a "qualified handicapped" student under Section 504 of the Rehabilitation Act of 1973 and the IEP is not the mechanism for determining the educational program, a division should identify and convene a committee of similar composition to that which acted to evaluate and determine program needs for the student. This duly convened committee has the responsibility to determine whether the student will participate in the LTP and which, if any, accommodations are required. In the event that a student with a disability does not participate in the LTP, the school division must document that the ramifications of not taking the test have been explained to and agreed to by the parent(s) and student when appropriate. (See "Regulations Governing Special Education Programs for Handicapped Children and Youth in Virginia" §3.4.B.5.F)

ROLE OF THE ADMINISTRATOR OF SPECIAL EDUCATION

The division administrator of special education is responsible for ensuring that the IEP committees (for students identified under the IDEA), and other duly convened committees (for students identified as qualified under Section 504 of the Rehabilitation Act of 1973 and not operating under an IEP) are fully informed about the actions they need to take with regard to the Literacy Testing Program, and for coordinating with the division's literacy testing contact person in ordering the test materials and preparing students with disabilities for the LTP. The role encompasses the following:

1. To ensure that staff, parents or guardians, and students have been fully informed of their rights and responsibilities;

2. To determine actual numbers of students with disabilities who will be taking the tests; and

3. To assure the provision of the various accommodations required for each student with a disability according to his or her IEP or other management tool.

In addition, the administrator of special education should make every effort to become familiar with the general instructions for division directors of testing (i.e., the division's literacy testing contact person)

and the specific examiner's instructions for the administration of the literacy tests in order to assist in ensuring that standard procedures are followed at each test administration.

ROLE OF THE INDIVIDUALIZED EDUCATION PROGRAM (IEP) COMMITTEE (for students identified under the Individuals with Disabilities Education Act (IDEA))

The Individualized Education Program (IEP), mandated for all students with disabilities identified under IDEA, is the management tool to ensure that they receive an appropriate education and that each student's parent, legal guardian, or surrogate parent is an active participant of the IEP committee. Decisions as to the need for and selection of accommodations, or the postponement of or the exemption from participating in the LTP are the responsibility of the IEP committee and should be made during the IEP committee meeting which precedes the Literacy Testing Program administration. A student's IEP must specify whether, or when, and with which specific accommodations a student is to participate in the LTP.

ROLE OF DULY CONVENED COMMITTEE (for students identified under Section 504 of the Rehabilitation Act of 1973 and not operating under an IEP)

Each division is mandated to determine appropriate educational programs for students with disabilities identified under Section 504 of the Rehabilitation Act of 1973 by convening a knowledgeable group to evaluate and determine program needs. Therefore, decisions as to the need for and selection of accommodations, or the postponement of or the exemption from participating in the LTP are the responsibility of a duly convened committee of similar composition and should be made preceding the Literacy Testing Program administration. Each student's parent, legal guardian, or surrogate parent must be an active participant in these decisions. A student's management tool must specify whether, or when, and with which specific accommodations a student is to participate in the LTP and whether or not a student must pass the LTP to be classified as a ninth grade student (pp. 1-3).

DETERMINING WHETHER TESTING SHOULD BE POSTPONED FOR A STUDENT

The Standards of Quality have stipulated that all students are to participate in the LTP at the sixth-grade level. For some students with disabilities, it may be more appropriate to postpone testing until they have completed a course of study which includes the K-6 language arts and mathematics Standards of Learning Objectives on which the tests are based.

In making the decision to postpone test participation, the student's teacher plays an important role. The teacher(s) of students with disabilities must estimate fairly each student's progress in achieving the Standards of Learning Objectives and impart this estimate to the IEP committee*. If a student has not achieved reasonable competence of the objectives, it is recommended that the IEP committee* consider that he/she not be scheduled to participate in the LTP at that time unless exclusion is deemed to be more detrimental to the student.

The following postponement procedures should be followed:

1. The IEP committee* shall review the IEP or other management tool of each student with respect to his/her preparation for the Literacy Testing Program;

2. The decision of the IEP committee* to postpone a student's participation in the Literacy Testing Program shall be documented. This documentation shall be attached to or become part of the student's IEP or other management tool, and shall indicate that the consequences of the decision to postpone a student's participation in the LTP have been fully explained and understood by the parent, guardian, surrogate parent, or student (18 years of age 9 or older), and due process rights have been explained; and

3. The decision to postpone can apply only to the test administration following that IEP committee* meeting.

If the parent, guardian, surrogate parent or student with a disability (18 years of age or older) requests postponement from the LTP, an IEP committee* meeting will be convened to consider the request.

DETERMINING WHETHER A STUDENT SHOULD BE EXEMPT FROM TESTING

Exemption from the Literacy Testing program should be considered only for students whose instruction program has not and will not include the K-6 language arts and mathematics Standards of Learning Objectives on which the tests are based. If the IEP committee* determines that it is not appropriate for the student to participate in the LTP, the parents and the student must understand that such an exemption would make the student ineligible for a standard or advanced diploma.

The following exemption procedures should be followed:

1. The IEP committee* shall review the IEP or other management tool of each student with respect to participation in the Literacy Testing Program;

2. The decision of the IEP committee* to exempt a student from participating in the LTP shall be documented. This documentation shall be attached to or become part of the student's IEP or other management tool, and shall indicate that the consequences of the decision to exempt the student have been fully explained and understood by the parent, guardian, surrogate parent, or student (18 years of age or older), and due process rights have been explained; and

3. Once a student has been exempt from the literacy testing and as long as the student is enrolled, the IEP committee* shall annually review the decision with respect to its continued appropriateness. This review shall be scheduled to occur before each test administration date. It is recommended that students who exit with a special diploma be informed of the right to retake the tests during an exit interview.

If the parent, guardian, surrogate parent or student (18 years of age or older) requests exemption from the LTP, an IEP committee* meeting will be convened to consider the request.

* or, for students who are identified as otherwise "qualified handicapped" students under Section 504 of the Rehabilitation Act of 1973, a duly convened committee.

WASHINGTON

Washington Department of Public Instruction. (Fall, 1994). Washington state assessment program: Assessment coordinator's manual. Olympia, WA.

For the Building Assessment Coordinator and Assessment Examiner

Because a student may score low on a test is not sufficient reason for exclusion from testing. Exclusion decisions should consider the student's day-to-day program placement as well as parental expectations. Students whose parents or guardians assume the student is in a regular classroom, rather than in special placement, should be tested. Students in regular classrooms who are given common assignments and tasks which are evaluated by common performance standards should be tested. Students whose learning or physical disabilities can be accommodated by one of the options described in the preceding section should be tested. If it is uncertain whether or not a student should be tested, the student should probably be included.

In order to exclude a student from testing, the school staff must clearly determine that the student is unable to respond to a paper-and-pencil test, even with the permissible accommodations. For each student excluded from the state assessment program, the reason must be coded on the front page of the student's answer document along with the other biographical information and submitted for processing (see Page 8). Written documentation of the exclusion decision should also be included in the student's permanent record in the school and communicated to the parents or guardians.

WEST VIRGINIA

State of West Virginia. (July, 1989). School laws of West Virginia. Charleston, WV. P. 33.

An exceptional child is subject to testing under the WV-STEP program only to the extent specified in that child's individualized education program (IEP).

WISCONSIN

Wisconsin Department of Public Instruction. (1993). The testing of students with exceptional educational needs, students with disabilities, and limited-English speaking students: DPI guidelines for non-discriminatory testing. Madison, WI. Pp.1-2, 3-5.

Districts may exempt students with Exceptional Educational Needs (EEN), students with disabilities under Sec. 504 of the Rehabilitation Act of 1973, and Limited-English Speaking (LES) students from some or all of the testing. Districts may also modify the format and administration of the tests for these students. Districts must follow a defensible process in making the decision to include, exclude, or modify testing procedures for EEN, 504, and LES students. This paper provides guidelines for making that decision.

The department strongly supports the right of children with EEN or disabilities and LES students to be provided the same access to educational services and programs as are provided to all students. Students with EEN or disabilities and LES students should be given the opportunity to acquire and demonstrate their competence. Whenever possible, then, students with EEN or disabilities and LES students should be included in the testing.

Section 504 of the Vocational Rehabilitation Act of 1973 states that, "...no otherwise qualified handicapped individual...shall solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity..." This federal regulation places an obligation on districts to make decisions about a child's educational program based on a logical process, not a category label of "handicapped." The process used must consider both the potential benefits and potential harm to the student of participating in any educational program.

LES students and students with EEN or disabilities who participate with their peers in the testing receive a number of benefits. First, they are allowed to demonstrate their competence in the areas tested. Second, they are able to see themselves as part of a larger class program, are integrated into the class, and not stigmatized by being excluded.

These potential benefits must be balanced, of course, with considerations of potential harmful effects for some LES students and students with EEN or disabilities. If the test will only demonstrate a student's failures and will be frustrating and damaging to the student's self-esteem, the testing may not be appropriate.

Students with Exceptional Educational Needs (EEN) or Disabilities under Sec. 504 of the Rehabilitation Act of 1973

The rule for testing students with EEN is at s. PI 16.07, Wis. Admin. Code. The rule requires districts to adopt a policy for testing students with EEN. The policy must describe the procedures used to determine whether a student with EEN will be tested, procedures used in administering the test, and procedures used for notifying parents of the district's decision regarding testing of their child. The policy must include the assurance that decisions will be made on a case-by-case basis.

As with LES students, the following two cautions apply in testing students with EEN:

- Test results may not be used as the sole criterion in exiting students from a special education program or in determining grade promotion, eligibility for courses or programs, eligibility for graduation, or eligibility for participation in post-secondary options.

WISCONSIN

Wisconsin Department of Public Instruction. (1993). The testing of students with exceptional educational needs, students with disabilities, and limited-English speaking students: DPI guidelines for non-discriminatory testing. Madison, WI. Pp.1-2, 3-5.

Districts may exempt students with Exceptional Educational Needs (EEN), students with disabilities under Sec. 504 of the Rehabilitation Act of 1973, and Limited-English Speaking (LES) students from some or all of the testing. Districts may also modify the format and administration of the tests for these students. Districts must follow a defensible process in making the decision to include, exclude, or modify testing procedures for EEN, 504, and LES students. This paper provides guidelines for making that decision.

The department strongly supports the right of children with EEN or disabilities and LES students to be provided the same access to educational services and programs as are provided to all students. Students with EEN or disabilities and LES students should be given the opportunity to acquire and demonstrate their competence. Whenever possible, then, students with EEN or disabilities and LES students should be included in the testing.

Section 504 of the Vocational Rehabilitation Act of 1973 states that, "...no otherwise qualified handicapped individual...shall solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity..." This federal regulation places an obligation on districts to make decisions about a child's educational program based on a logical process, not a category label of "handicapped." The process used must consider both the potential benefits and potential harm to the student of participating in any educational program.

LES students and students with EEN or disabilities who participate with their peers in the testing receive a number of benefits. First, they are allowed to demonstrate their competence in the areas tested. Second, they are able to see themselves as part of a larger class program, are integrated into the class, and not stigmatized by being excluded.

These potential benefits must be balanced, of course, with considerations of potential harmful effects for some LES students and students with EEN or disabilities. If the test will only demonstrate a student's failures and will be frustrating and damaging to the student's self-esteem, the testing may not be appropriate.

Students with Exceptional Educational Needs (EEN) or Disabilities under Sec. 504 of the Rehabilitation Act of 1973

The rule for testing students with EEN is at s. PI 16.07, Wis. Admin. Code. The rule requires districts to adopt a policy for testing students with EEN. The policy must describe the procedures used to determine whether a student with EEN will be tested, procedures used in administering the test, and procedures used for notifying parents of the district's decision regarding testing of their child. The policy must include the assurance that decisions will be made on a case-by-case basis.

As with LES students, the following two cautions apply in testing students with EEN:

- Test results may not be used as the sole criterion in exiting students from a special education program or in determining grade promotion, eligibility for courses or programs, eligibility for graduation, or eligibility for participation in post-secondary options.

Wisconsin Department of Public Instruction. (1994). Wisconsin third grade reading test: District testing coordinator directions. Pp. 11-12.

The Testing of Students with
Exceptional Educational Needs, Students with Disabilities, and
Limited-English Proficient Students:

DPI Guidelines for Non-Discriminatory Testing

Introduction

In 1989, the Department of Public Instruction administered, for the first time, the Third Grade Reading Test (TGRT) to all third graders, statewide. Numerous concerns and questions were raised regarding the testing of third grade handicapped children. The department responded with a paper supporting the right of all handicapped children to be provided the same educational opportunities and equal access to programs that are afforded non-handicapped children. Districts were instructed to use the Individualized Education Program (IEP) process to make the decision regarding testing of each handicapped child.

Districts may exempt students with Exceptional Educational Needs (EEN), students with disabilities under Sec. 504 of the Rehabilitation Act of 1973, and Limited-English Proficient (LEP) students from some or all of the testing. Districts may also modify the administration of the tests for these students. Districts must follow a defensible process in making the decision to include, exclude, or modify testing procedures for EEN, 504, and LEP students. This section provides guidelines for making that decision.

Position of the Department of Public Instruction

The department strongly supports the right of children with EEN or disabilities and LEP students to be provided the same access to educational services and programs as are provided to all students. Students with EEN or disabilities and LEP students should be given the opportunity to acquire and demonstrate their competence. Whenever possible, then, students with EEN or disabilities and LEP students should be included in the testing.

Section 504 of the Rehabilitation Act of 1973 states that, "...no otherwise qualified handicapped individual ...shall solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity...." (34CFR104.4). This federal regulation places an obligation on districts to make decisions about a child's educational program based on a logical process, not a category label of "handicapped". The process used must consider both the potential benefits and potential harm to the student of participating in any educational program.

Benefits of Participation in the TGRT

LEP students and students with EEN or disabilities who participate with their peers in the testing receive a number of benefits. First, they are allowed to demonstrate their competence in the areas tested. Second, they are able to see themselves as part of a larger class program, are integrated into the class, and are not stigmatized by being excluded.

These potential benefits must be balanced, of course, with considerations of potential harmful effects for some LEP students and students with EEN or disabilities. If the test will only demonstrate a student's failures and will be frustrating and damaging to the student's self-esteem, the testing may not be appropriate. The following sections address the process and criteria to use in making the decision regarding testing.

Exceptional Educational Needs (EEN) Students or Students with Disabilities under Section 504 of the Rehabilitation Act of 1973

The Individual Educational Program (IEP) process is the appropriate vehicle for making decisions regarding a child's educational program for students with EEN, including the decision to administer the TGRT. The Individual Accommodation Plan (IAP) is the vehicle for these decisions for students with disabilities. During the IEP process, that is, when the IEP for the student is being developed, the IEP committee must address issues of current level of performance and program goals. The IEP or IAP should include a statement that a student will or will not participate in the state and district testing programs, the subject or content areas that are appropriate for the student, any modifications in the testing procedure that need to be made, and a justification for the decision. The special education staff should explain this decision to parents and be able to document parent understanding.

During the IEP process, test decisions and modifications to test procedures for all school and district testing should be discussed. The student should have consistent treatment in testing. That is, all school or district achievement or other testing should be administered to the student in the same way.

Criteria or Considerations in Making the Decision
for Including or Excluding Students with EEN or 504 Disabilities

The decision to include or exclude any student with EEN or 504 disabilities must be made on an individual, case-by-case basis. No "blanket" inclusion or exclusion of students with EEN or 504 disabilities or categories of EEN is allowable. However, certain considerations make the decision more or less reasonable.

Consider the following questions or issues.

- Is a goal of the child's third-grade reading program to assist the child to read materials similar to the passages on the TGRT?
- Is the child mainstreamed for reading?
- Is the child's reading proficiency within the range of the reading proficiency of all students in the "regular" third grade reading program?
- Is the child motivated to appear to be like his or her non-handicapped peers and/or to be included in activities with non-handicapped peers?
- Would the information on the student's performance be useful to the school?
- Are there modifications to the testing procedure that will enhance the child's ability to take the test?
- Will the results of the test "accurately reflect the student's ... achievement level ... rather than reflecting the student's" disability (34CFR104.35(a)(3))?

To the extent that answers to the above questions are, "yes," the child should be included in the TGRT. The most important criterion is the match between the child's reading program and the content of the TGRT. The more similar the programs, the more important it is to include the child in testing and the more difficult it becomes to justify exclusions.

WYOMING

Wyoming does not have a state assessment program.